

**STATE OF WISCONSIN
CLASSIFICATION SPECIFICATION**

**DWD EQUAL RIGHTS OFFICER
CLASSIFICATION SERIES**

I. INTRODUCTION

A. Purpose of This Classification Specification

This classification specification is the basic authority under Wis. Admin. Code ER 2.04 for making classification decisions relative to present and future professional positions located within the Department of Workforce Development which perform professional investigation and resolution work in the areas of civil rights, labor standards, prevailing wage, and complaints relating to selected actions by state agencies in their capacity as an employer. This classification specification is not intended to identify every duty which may be assigned to a position, but is intended to serve as a framework for classification decision making in this occupational area.

Classification decisions must be based on the “best fit” of the duties within the existing classification structure. The “best fit” is determined by the majority (i.e., more than 50%) of the work assigned to and performed by the position when compared to the classification concepts and definition of this specification, or through other methods of position analysis. Position analysis defines the nature and character of the work through the use of any or all of the following: definition statements; listing of areas of specialization; representative examples of work performed; allocation patterns of representative positions; job evaluation guide charts, standards, or factors; statements of inclusion and exclusion; license or certification requirements; and other such information necessary to facilitate the assignment of positions to the appropriate classification.

B. Inclusions

Positions allocated to this classification series are professional positions located within the Department of Workforce Development (DWD), Division of Equal Rights. Positions in this series are responsible for complaint investigation; determinations of fact and resultant findings; conciliation or settlement of cases; computation of wages and penalties; determination of prevailing wage rates; and provision of consultation and technical assistance or advice. Positions allocated to this classification must meet the definition of professional employee, as defined in s. 111.81 (15), Wis. Stats.

C. Exclusions

Excluded from this classification series are the following types of positions:

1. Positions which meet the statutory definition of supervisor or management, as defined in s.111.81(9) and (13), Wis. Stats., and as administered and interpreted by the Wisconsin Employment Relations Commission.

2. Positions which do not meet the statutory definition of professional employee as defined in s.111.81 (15), Wis. Stats., as administered and interpreted by the Wisconsin Employment Relations Commission.
 3. Positions which do not perform investigation functions, as defined in the I.B. "Inclusions," for a majority of the time (i.e., more than 50%).
 4. Positions not located within the Department of Workforce Development.
 5. All other positions which are more appropriately identified by other classification specifications.
- D. Entrance Into and Progression Through This Classification Series

Employees typically enter positions allocated to this classification series by competition. Progression to the Journey or Senior level occurs through reclassification. Movement to the Advanced level will occur through competition.

II. DEFINITIONS

DWD EQUAL RIGHTS OFFICER CLASSIFICATION SERIES

Positions allocated to this classification series perform work in following program areas:

- 1) **DWD Civil Rights Program** investigate and resolve charges of discrimination covered by Wisconsin's Fair Employment, Open Housing, and Public Accommodation and Amusement Laws; Family and Medical Leave Law; Elder Abuse Reporting Law; Discrimination in Post-Secondary Education Law; Employee's Right to Know Law; Retaliation under Wisconsin's Labor Standards Laws; Emergency Responder Absence Law; Reemployment Rights After National Guard, State Defense Force, or Public Health Emergency Service; Retaliation Protection for Employees of Care and Service Residential Facilities; Retaliation Protection for Reporting an Adult-at-Risk; Retaliation for Reporting Fraud by Recipient of Public Assistance; Protection of Internet and E-Mail Passwords; Whistleblower Protection for State Employees; and the Public Employee Health and Safety Law.
- 2) **DWD Labor Standards Program** investigate and resolve complaints covered by Wisconsin's Minimum Wage, Overtime, Wage Payment and Collection, Illegal Deductions, Child Labor, Street Trades, Business Closing or and Mass Layoff, Personnel Records Open to Employees, Seats for Workers, One Day of Rest in Seven, Employment Agencies, Garnishments Traveling Sales Crew Laws, and related Labor Standards Forfeitures and Retaliation Laws.
- 3) **DWD Prevailing Wage Program** conduct an annual survey to determine wage rates under Wisconsin's Prevailing Wage Laws and investigate and resolve charges complaints of improper wage payments covered by Wisconsin's Prevailing Wage Laws.

DWD EQUAL RIGHTS OFFICER

Positions allocated to the entry level perform in a learning capacity and work closely with more experienced officers to acquire knowledge, understanding, and experience in fundamental methods and procedures of investigation and compliance. Entry Officers are expected to complete fewer cases than Journey Officers. The work performed involves significantly lesser scope, complexity, discretion, and decision making than is found at the Equal Rights Officer Journey level. Work is performed under close supervision.

DWD EQUAL RIGHTS OFFICER-JOURNEY

Positions allocated to the journey level function as (1) a **full performance objective level** officer where the nature of the work assigned and performed under general supervision does not involve a full range of investigation and complaint resolution; or (2) a **developmental level officer** where the employee has acquired sufficient skill and relevant program knowledge to research non-routine cases; perform non-routine case investigations and resolution, including the utilization of appropriate methods and procedures; and analyze and evaluate information in order to make effective case-related decisions but under limited supervision. Journey level Officers are expected to complete fewer cases than Senior level Officers.

DWD EQUAL RIGHTS OFFICER-SENIOR

Positions allocated to the objective level require extensive knowledge and expertise in civil rights, labor standards, or prevailing wage investigation and resolution work. Positions at this level deal with complex cases and employ a high degree of knowledge and skill in complaint intake, investigation, and settlement/resolution procedures, and interpretation of statutes, codes, and precedents. These positions are called upon to provide expert opinion, consultation, and training to new officers. Positions may advise other staff in the absence of the Equal Rights Officer-Advanced and assist the program director with special assignments. Work is performed under general supervision.

DWD EQUAL RIGHTS OFFICER-ADVANCED

Positions allocated to this level are performing the most advanced level civil rights, labor standards, or prevailing wage investigation and resolution work. Positions at this level are responsible for handling the most complex and high profile cases, which have multiple bases and issues, and are likely to receive media attention. Positions at this level employ an expert degree of knowledge and skill in complaint intake, investigation, and settlement/resolution procedures, and interpretation of statutes, codes, and precedents. These positions are the point of contact for providing expert opinion, consultation, and training to new officers. Positions advise other staff and assist the program director with special assignments, and may act in a lead capacity. These positions are viewed as the expert in their field. Positions are responsible for performing public outreach, speeches, and presentation to the public, attorneys, organizations, etc. to educate appropriate parties involved in this type of work. Work is performed under general supervision.

III. QUALIFICATIONS

The qualifications required for positions allocated to this classification series will be determined at the time of recruitment. Such determinations will be made based on an analysis of the goals and work activities performed, and by an identification of the education, training, work, or other life experience(s) which would provide reasonable assurance that the knowledge and skills required upon appointment have been acquired.

IV. ADMINISTRATIVE INFORMATION

This classification series was created effective September 6, 2015 and announced in Bulletin DPM-0407-CC/SC to remove the Department of Transportation from the series, add the advanced level and update the language to better define the work performed by these positions. This classification series replaces the Equal Rights Officer classification that was created in CC/SC-33, effective December 11, 1994 and abolished on September 6, 2015.