

**STATE OF WISCONSIN**  
**CLASSIFICATION SPECIFICATION**  
**PARALEGAL-CONFIDENTIAL**

**I. INTRODUCTION**

A. Purpose of This Classification Specification

This classification specification is the basic authority under s. ER 2.04, Wis. Adm. Code, for making classification decisions relative to present and future professional, confidential positions which function as Paralegals-Confidential. This classification specification is not intended to identify every duty which may be assigned to positions 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

This classification encompasses professional, confidential positions that perform a wide range and combination of professional-level, law-related activities to assist a state agency’s chief legal counsel and/or staff attorneys in the delivery of legal services. Positions allocated to this classification must meet the statutory definitions of professional employee and confidential, as defined in s. 111.81(15) and (7), Wis. Stats.

C. Exclusions

Excluded from these classifications are the following types of positions:

1. Positions that do not meet the statutory definition of professional employee and confidential, as defined in s. 111.81(15) and (7), Wis. Stats., as administered and interpreted by the Wisconsin Employment Relations Commission.
2. Positions that provide confidential legal support services for a majority of the time and are more appropriately classified as Legal Support Staff-Confidential.
3. Positions that provide professional legal advice and services for a majority of the time, where such worker activities would be deemed the practice of law requiring licensure to practice law in Wisconsin, and that are more appropriately classified as Attorney.

4. Positions that provide confidential program assistance in a wide range and combination of activities or paraprofessional program support assistance of considerable difficulty for a majority of the time and are more appropriately classified as Program Assistant-Confidential or Program Assistant-Advanced-Confidential.
  5. All other positions that are more appropriately identified by other classification specifications.
- D. Entrance Into This Classification

Entrance into this classification is by competitive examination.

- E. Explanation Regarding Confidential Exclusion

The Wisconsin Employment Relations Commission (WERC) has established that in order for an employee to obtain “confidential” status the employee must participate in matters involving the consideration of confidential information relating to labor relations, or must have access to or knowledge of confidential information relating to labor relations. For information to be confidential, it must (a) deal with the employer’s strategy or position in collective bargaining, contract administration, litigation or other similar matters pertaining to labor relations and grievance handling between the bargaining representative and the employer and (b) be unavailable to the bargaining representative. A de minimus exposure to confidential materials is generally insufficient grounds for excluding an employee from a bargaining unit.

## II. DEFINITION

### PARALEGAL-CONFIDENTIAL

This is professional, confidential work related to the provision of paralegal support to legal counsel and/or staff attorneys in an agency’s central legal office. Positions allocated to this classification perform specifically delegated, substantive legal work in confidential matters relating to labor relations under the general supervision of legal counsel or a staff attorney. Positions perform a combination of three or more of the following worker activities:

1. Conduct specialized or very complex legal research and analysis of case law
2. Assist attorneys at trials and/or hearings
3. Draft and prepare a variety of legal documents
4. Negotiate settlements
5. Independently manage or investigate assigned complex cases
6. Confidential - handles cases involving the employer's strategy or position in labor relations, for example: preparing the employer's case in grievance or unfair labor practice cases.

## III. QUALIFICATIONS

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

## IV. ADMINISTRATIVE INFORMATION

This classification was created effective May 20, 2001, and announced in Bulletin CLR/SC-130, in order to describe professional, confidential positions which provide paralegal support to an agency's chief legal counsel and/or staff attorneys. This classification replaces the Paralegal-Objective-Confidential classification. This classification was created in order to simplify the classification system and to expand the broadband pay system to non-represented classifications. This classification was again modified effective July 9, 2006 and announced in Bulletin OSER-0121-MRS/SC as part of the 2004 Legal Support Staff survey.

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