

STATE OF WISCONSIN

BOARD OF PERSONNEL

EDWARD G. REBMAN,

**

Appellant,

**

vs.

**

ORDER

C. K. WETTENGEL, DIRECTOR
STATE BUREAU OF PERSONNEL,

**

**

#564

Respondent.

The Board having entered its Findings of Fact and Conclusions of Law in this matter, hereby makes and files the following Order:

1. The original reallocation action of the respondent of the appellant's position from Accountant 3 (SR 1-13) to Account Specialist 4 (SR 1-13) was a proper lateral action and is substantiated by the record herein.

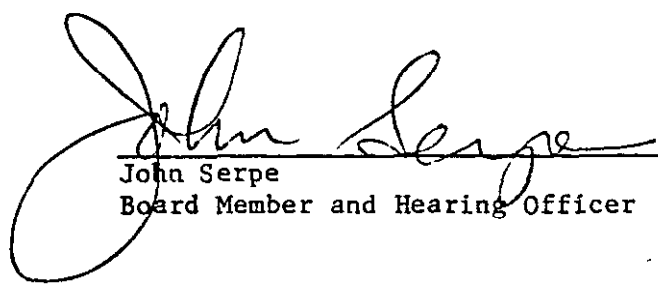
2. The reallocation action as above referred to is a proper exercise of the respondent's discretion and is hereby ratified and affirmed.

3. The denial of the request to reclassify the appellant's position was a proper exercise of discretion by the respondent and the same is hereby ratified and affirmed.

4. The appeal of Edward Rebman from such reclassification denial be and the same is hereby dismissed on its merits.

Dated at Madison, Wisconsin this 24th day of April, 1973.

STATE PERSONNEL BOARD, By


John Serpe
Board Member and Hearing Officer

STATE OF WISCONSIN

BOARD OF PERSONNEL

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EDWARD G. REBMAN,

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Appellant,

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FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

C. K. WETTENGEL, DIRECTOR
STATE BUREAU OF PERSONNEL,

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Respondent.

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A hearing was conducted in this matter before Board member John Serpe on December 20, 1972, in Room 275 Wilson Street State Office Building, Madison, Wisconsin. The appellant appeared personally together with Donald S. Rush, his attorney, and the respondent appeared by Verne Knoll, Deputy Director, State Bureau of Personnel, and by D. J. Sterlinske, Attorney. It was stipulated by and between the parties that Board member Serpe serve as the hearing officer in this matter and the entire Board would review the transcript and render a decision after the completion of the hearing. The Board having considered all of the matters and having examined the transcript of the hearing together with all evidence admitted into evidence enters the following:

FINDINGS OF FACT

1. The appellant, Edward Rebman, is employed within the classified service with the Department of Agriculture with the former classification of Accountant 3 (SR 1-13).
2. The respondent, as Director of the State Bureau of Personnel, conducted a survey during 1971 of State classified positions within the fiscal field.
3. As a part of the survey, a position description, showing the assigned duties of the appellant, was signed on January 8, 1971, and submitted to the respondent.
4. At the completion of the survey, a number of classes were abolished and a new accountant series was created and specifications for these classes were proposed by the Director, submitted to the State Personnel Board, and approved by them.

5. Based on the new approved specifications, the classified position of the appellant was reallocated by the respondent, effective May 13, 1971, from an Accountant 3 (SR 1-13) to Account Specialist 4 (SR 1-13).

6. After this reallocation, the respondent was requested to re-review the appellant's position based upon changes in his assignment duties which had occurred after the filing of the original position description.

7. On June 1, 1971, the respondent, by memorandum to the Personnel Officer of the Department of Agriculture, affirmed his initial determination of Account Specialist 4 as a proper position allocation.

8. Thereafter, on July 11, 1972, a reclassification request was submitted by the Department of Agriculture, on behalf of the appellant, requesting that the position be reclassified to Accountant 4 (SR 1-14).

9. The respondent, upon receipt of this request, audited the position with the agency, compared the stated position duties with existing class specifications, and on September 1, 1972, denied the reclassification request and notified the Department of Agriculture of such denial together with an explanation of the reasons therefor.

10. Upon receipt of this denial, the appellant timely appealed the Director's action of denial of the reclassification, to the State Personnel Board, through his attorney, Donald Rush, by letter dated September 25, 1972.

11. Based on the record herein, the general position duties, as performed by the appellant, as well as the class specifications of the Accountant 4 class, and the Account Specialist 4 class to which class the appellant's position was allocated, confirms that the action of the Director in denying the reclassification was a proper exercise of his discretion.

Based on the following Findings of Fact, the Board makes the following:

CONCLUSIONS OF LAW

1. The original reallocation action of the respondent of the appellant's position from Accountant 3 (SR 1-13) to Account Specialist 4 (SR 1-13) was a proper lateral action and is substantiated by the record herein.

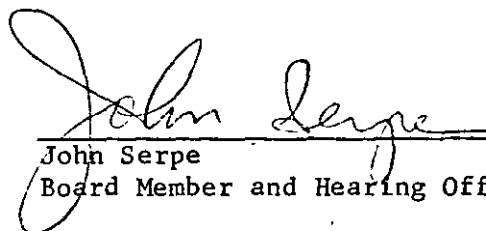
2. The reallocation action as above referred to is a proper exercise of the respondent's discretion and is hereby ratified and affirmed.

3. The denial of the request to reclassify the appellant's position was a proper exercise of discretion by the respondent and the same is hereby ratified and affirmed.

4. The appeal of Edward Rebman from such reclassification denial be and the same is hereby dismissed on its merits.

Dated at Madison, Wisconsin this 24th day of April, 1973.

STATE PERSONNEL BOARD, By



John Serpe
Board Member and Hearing Officer