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STATE OF WISCONSIN

STATE PERSONNEL BOARD

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ROSE G. SEIY,

Appellant,

v.

PHILIP LERMAN, Chairperson,  
Department of Industry, Labor and  
Human Relations; and  
C. K. WETTENGEL, Director,  
State Bureau of Personnel,

Respondents.

Case No. 73-130

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**OFFICIAL**

OPINION AND ORDER

Before: JULIAN, STEININGER and WILSON

OPINION

I. Findings of Fact

Appellant is a permanent employe appealing a reallocation of her position from Administrative Secretary 1 to Typist 3. A memorandum and the notice of reallocation were received by Appellant on July 18, 1973. On that same date, Appellant wrote a letter of appeal received by this Board's office July 19, 1973.

Appellant has been working for the State for over thirty years. The 1973 reallocation action was taken by Respondents because her duties and responsibilities had changed. It was not brought to question the quality of her performance at her job.

As a result of a survey conducted by the Bureau of Personnel, her position was reallocated in June, 1967 from Clerk Typist 3 to Administrative Secretary 1 - Program. This reallocation was based on a position description signed by Appellant and her supervisors.

At that time Appellant supervised between seven and twelve employees whose classifications were either Clerk Typists 1 or 2. She was also secretary to Robert Germain, Manpower Specialist 5.

In 1969 there was a reorganization of personnel. Appellant thereafter did not supervise the staff of clerical workers. The employees still came to her for work, but she was not designated as their supervisor.

It appears Appellant had primarily the responsibility of maintaining the supplies and equipment stock. This included requisitioning the stock, handling the purchase orders and bills, signing in delivered equipment, dispensing desk and cabinet keys, composing letters for ordering special supplies, and processing invoices for clearance for payment. She remained secretary to Robert Germain, Manpower Specialist 5, until after the reallocation action.

A second position description was prepared in May, 1972 by Mr. Germain, and then submitted to Stephen Boehrer, Personnel Manager for the Department of Industry, Labor and Human Relations in the Milwaukee area. Mr. Boehrer interviewed Appellant once for about an hour regarding her position description and job duties.

The 1972 position description did not detail all of Appellant's duties as she perceived them. It omitted the above listing of duties as well as some additional secretarial work she performed when people were absent or on vacation. Moreover, the position description included duties she no longer performed, for example, compiling data for various reports.

Mr. Boehrer expressed concern over Appellant's pending reallocation. He met with her several times in order to seek an alternative. Before

Appellant's position was reallocated, she was given the opportunity of remaining an administrative secretary 1, if she would become secretary to the Director of the Milwaukee WIN office. She refused this offer, alleging that she could not work well in this position. She was also informed of an opening for an administrative secretary 1 in another department. She applied but was not selected for this position.

This position description was presented to Appellant for her signature in December 1972. Appellant protested its contents but signed it after being told by Mr. Germain that she had to do so.

## II. Conclusions

The Personnel Board has jurisdiction to hear appeals from reallocation action under Wisconsin Statutes Section 16.05 (1) (f). This appeal was timely by having been filed well within the fifteen day limit set forth in Section 16.05 (2), Wis. Stats..

### This Appeal Involves A Reallocation Action.

Appellant contends that the action to downgrade her position was a demotion. A demotion is defined under Wis. Adm. Code Section Pers 17.01 as:

. . . the movement of an employe with permanent status in one class to a position in another class that has a lower single rate or pay range maximum.

This definition would seem to cover the action taken in the instant appeal. However, there are certain circumstances which are specifically excluded from the above definition. In Wis. Adm. Code Section Pers 17.02 (3) it states:

The reduction in the classification of a position held by an employe with permanent status that does not involve movement of the employe to a different position is considered a reallocation.

Therefore, this Board finds that the action taken by Respondents on Appellant's position was a reallocation and not a demotion. This finding is not contra to this Board's decision in Juech v. Weaver, Case #450, January 13, 1972. In that case the Board found that the action to reallocate a position from Maintenance Operations Foreman (salary range 3-09) to Maintenance Mechanic 1 (salary range 3-07) was indeed a demotion. The department alleged that it had always had difficulty with the Appellant in the higher supervisory position. The Appellant apparently agreed to a reallocation from the supervisory position on the representation that the local administration would have his position reclassified to Maintenance Mechanic 3.

In the instant appeal there was no question on the quality of Appellant's work. There was also no agreement between the parties that Appellant would relinquish her supervisory position in exchange for one with an equal or better salary range. Thus, we conclude that Appellant's position was reallocated and not demoted.

The Reallocation of Appellant's  
Position Was Proper.

Appellant contends that the 1972 position description does not adequately describe her duties. This Board finds this contention is without merit.

The position standard developed in 1966 for administrative secretaries 1 - program gives as examples of work performed the following:

Administers or supervises the entire clerical services of an organizational unit in a line capacity. This may include any combination of the following: mail, file, records management, communications, typing pool, reproduction service, machine operation, procurement, fiscal records.

And in the performance of the above, supervises subordinate clerical positions. The supervisory duties typically include the following:

Delegates and/or reviews work of subordinates.  
Changes work assignments.  
Trains subordinates.  
Determines need for additional help.  
Interviews and/or employs prospective employes.  
Evaluates subordinates performances.  
May keep employe personnel records.  
(Emphasis added.)

Appellant's position was reallocated to an administrative secretary 1 - program in 1967 because she did supervise at least seven people. In 1969, however, Appellant's supervisory duties were removed. This was not a reflection on her performance but simply because there was a reorganization of personnel.

Quite clearly then she is no longer performing the duties of an administrative secretary 1 - program. Her duties and responsibilities fall more within the position standard for typist 3 wherein it states:

Positions allocated to this level perform advanced clerical and typing duties under general supervision.

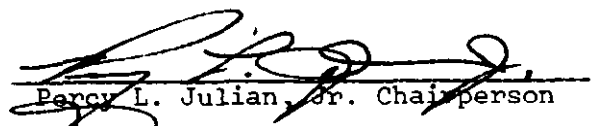
Her duties and responsibilities with respect to the supplies are more accurately within those performed by the typist 3 classification. Therefore, we conclude that Appellant was properly reallocated from administrative secretary 1 - program to typist 3.

ORDER

IT IS HEREBY ORDERED that the decision of the Director is affirmed.

Dated this 30<sup>th</sup> day of July, 1975.

STATE PERSONNEL BOARD

  
Percy L. Julian, Jr. Chairperson