

STATE OF WISCONSIN

STATE PERSONNEL BOARD

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OFFICIAL

AUGUST SPRINGSTUBE, *

Grievant, *

v. *

OPINION

AND

ORDER

JOHN C. WEAVER, President, *

University of Wisconsin, and *

C. K. WETTENGEL, Director, *

State Bureau of Personnel, *

Respondents. *

Case No. 73-45

* * * * *

Before AHRENS, Chairman, BRECHER, SERPE, JULIAN and STEININGER.

OPINION

This is an appeal from the third step of the State-wide grievance procedure. During the three steps of that procedure the Grievant in each instance asserted that the management of the Physical Science Laboratory permitted Edwin Wille, who the Grievant alleged was not a supervisor, to make out performance reports on the Grievant and perform other supervisory functions. Respondent Weaver took the position that he could assign supervisory duties to a bargaining unit employee.

At the prehearing conference, the parties could not agree as to the wording of the issue, but did agree that the Board should determine the issue on the basis of the wording as proposed by the parties and the completed forms in Steps 1, 2, and 3 of the grievance procedure.

Appellant contends that the issues are whether the Grievant's performance evaluation is accurate and whether Mr. Wille is qualified to render such evaluation. This statement of the issue does not focus on the claim that the Grievant consistently asserted in the grievance procedure that since Mr. Wille was in the bargaining unit, he was not a supervisor and, therefore, should not have evaluated his work or perform other supervisory duties. Notwithstanding the parties' stipulation to the contrary, we conclude that the issues in the matter should be stated as we have hereinafter set forth in our Order.

IT IS ORDERED that at the hearing in this matter, that the issues to be considered are:

1. "Whether an Electronics Technician 3 at the time of the evaluation in question could be assigned supervisory duties by management?"
2. "Whether an Electronics Technician 3 at the time of the evaluation can be assigned performance rating duties by the Respondent?"

Dated Feb 22, 1974 1974

STATE PERSONNEL BOARD

BY William Ahrens
William Ahrens, Chairman