

\*\*\*\*\*

FREDRICK LUEBKE, \*

Appellant, \*

v. \*

C. K. WETTENGEL, Director, \*

State Bureau of Personnel and \*

JOHN C. WEAVER, President, \*

University of Wisconsin, \*

Respondents. \*

Case No. 74-26 \*

\*\*\*\*\*

OPINION AND ORDER

OFFICIAL

Before: JULIAN, STEININGER, WILSON and SERPE

OPINION

I. Facts

Appellant is a permanent employee working at the University of Wisconsin-Oshkosh, Central Stores. His position is presently classified as a Stock Clerk 2 (SR 3-5). In early 1974 his request for reclassification to Storekeeper 1 (SR 3-6) was denied by Dale Lawrenz, Assistant Personnel Director, University of Wisconsin-Oshkosh. A second request was made by Appellant on February 8, 1974 to Charles McConnell, University of Wisconsin, Director Personnel and Employee Relations. This request was denied in a letter from Thomas Moran, Associate Director Personnel and Employee Relations, dated March 19, 1974. Appellant appealed this decision by letter to the Personnel Board, dated April 2, 1974.

Appellant began working for the State in December, 1969 as a Laborer 2 in the central stores, University of Wisconsin-Oshkosh. He

was reclassified on the basis of an internal transfer to Stock Clerk 1 in January, 1971, and then reclassified to Stock Clerk 2 in May, 1971 to meet the normal reallocation pattern for the work he was performing.

Richard Beckman, Storekeeper 1, worked with Appellant in Central Stores, University of Wisconsin-Oshkosh. Mr. Beckman's position was reclassified to Storekeeper 1 after Appellant began working in Central Stores. Appellant worked under Mr. Beckman.

In July, 1973, William Greenwald, Store Supervisor 3, Mr. Beckman's and Appellant's supervisor, developed an organizational chart which equalized the duties and responsibilities of the two men. Mr. Beckman was placed in charge of receiving and checking orders and Appellant was in charge of shipping and record keeping for receiving. Both men reported directly to Mr. Greenwald as supervisor. Neither supervised the other. However, when Mr. Greenwald was on vacation, Mr. Beckman took his place. Appellant did Mr. Beckman's job when either Mr. Beckman or Mr. Greenwald was on vacation.

It is apparent from the record that Appellant performed all the examples of work performed under the Stock Clerk 2 class specification and all but two of those under the Storekeeper 1 class specification. One of these duties, "makes minor local purchases or specializes in the purchase of one type of item such as clothing," no one was allowed to perform. This was done solely by Purchasing. The other was that Appellant did not supervise anyone.

## II. Conclusions

This appeal is properly brought under this Board's jurisdiction under Section 16.05 (1) (f), Wis. Stats.. This appeal was timely filed as required under Section 16.05 (2), Wis. Stats..

Appellant's Reclassification  
Request Was Improperly Denied

The class specification for Storekeeper 1 defines the position as follows:

This is responsible lead work guiding the activities of a departmental or large divisional stores unit or functioning as the assistant to the supervisor of one of the largest stores or warehouse units. Under limited supervision positions in this class are responsible for the complete stores operations of a department or large division or unit with a wider variety and larger turnover of items than is characteristic of the lower class. Positions allocated to this class who assist Supervisors III in the operation of one of the largest store units are responsible for a major function within the unit. Employees in this class have their work reviewed by administrative superiors although the day to day operation is the employees responsibility. The work usually involves the guidance of others. (Emphasis added.)

The definition of Stock Clerk 2 found in the class specification states:

This is responsible store room work directing the operations of a small departmental stores where there is a limited variety of items consisting mainly of pamphlets, office supplies or books and involving a limited amount of item turnover, or in assisting in the operation of a larger stores operation as the head of a major function. Under general supervision employees are responsible for the day to day operation of their particular unit or function. Work is reviewed by supervisors through examination of inventory records, requisitions and through examination of inventory records, requisitions and other methods and may involve the direction of the activities of others. (Emphasis added.)

Obviously the two jobs overlap. The difference between the two appears to be the size of the operation involved, the depth of responsibility and the amount of lead work involved. The Central

Stores at University of Wisconsin-Oshkosh is the largest stores operation in the University of Wisconsin.

Mr. Greenwald testified that in 1973 when he decided to set up an organizational chart which put Appellant and Mr. Beckman on equal ground, he did so because the workload in the shipping and receiving department had increased. (December 10, 1974 Hearing Transcript, page 26-27.)

In Alderden v. Wettengel, Case No. 73-87, June 2, 1975, we recognized the fact that a supervisor may be the best individual to determine whether a workload has sufficiently increased to merit an additional position. Mr. Greenwald's testimony on the increased workload is uncontroverted. The evidence introduced at the hearing went to whether Appellant's duties fell under the Storekeeper 1 or Stock Clerk 2 class specification, not whether there was a need for the additional position.

Appellant and Richard Beckman shared responsibility for handling the shipping and receiving department. The positions were essentially equal but separate in their respective duties. Mr. Beckman handled the receiving part and Appellant the shipping. This is the situation except when Mr. Greenwald their supervisor was gone. Mr. Beckman having more seniority than Appellant then filled in for Mr. Greenwald. But Appellant took on the added responsibilities of Mr. Beckman's position while performing his own.

Neither Appellant nor Mr. Beckman supervise the other nor act as lead worker to the other. But this is not a mandatory requirement of the Storekeeper 1 class specification. The first

sentence under the definition of the Storekeeper 1 class specification begins with "This is responsible lead work. . . ." But the last sentence states: "The work usually involves the guidance of others. (Emphasis added.)" If a comparison is made between the position descriptions of two Storekeepers 1, marked Respondent's Exhibits #7 and 8, and Appellant's marked Respondent's Exhibit #4, we see no difference in the amount of lead work or supervisory authority. Therefore, we conclude that this alone cannot defeat Appellant's claim.

Dale Lawrenz, Personnel Manager - 1, Assistant Personnel Director at the University of Wisconsin-Oshkosh testified that Mr. Greenwald in conjunction with others had the authority to set up the organizational chart. (December 10, 1974 Hearing Transcript, page 60.) This authority would be inherent within Mr. Greenwald's position. He could not attempt to organize the assignment of duties for any position which was not under his direct supervision. But he would be expected as part of his job to run his operation as efficiently as possible within the civil service law and rules. If there is a conflict between Mr. Greenwald and his supervisors as to how his department should be best run, then this should be resolved on the management level.

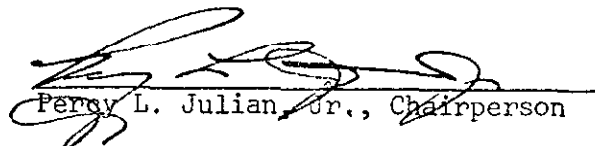
We conclude that Appellant's position is better classified as Storekeeper 1 than as Stock Clerk 2. He performs all but two of the examples of work performed under the class specification. It has never been held that a person must perform all the duties listed under the examples. The list is neither all inclusive nor exclusive. We find that Appellant is at the level of responsibility and has the same scope of duties as the Storekeeper 1 class specification.

ORDER

IT IS HEREBY ORDERED that Respondent's decision be reversed  
and this matter be remanded to him to reclassify Appellant to  
Storekeeper 1.

Dated August 29, 1975.

STATE PERSONNEL BOARD

  
Percy L. Julian, Jr., Chairperson