OFFICIAL

STATE OF WISCONSIN STATE PERSONNEL BOARD

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ROBERT WILLIAMS,

Appellant,

v.

C. K. WETTENGEL, Director
State Bureau of Personnel,

Respondent.

OPINION & ORDER

Case No. 74-35

* *

BEFORE: WILLIAM AHRENS, Chairman
PERCY L. JULIAN, JR., Member
SUSAN STEININGER, Member
JOHN A. SERPE, Member

In this case the Appellant appealed a decision of the Director excluding him from an examination for Parole Board Member. The Respondent excluded the Appellant on the basis of the Respondent's assertion that the Appellant lacked the qualifications necessary for the job, specifically that the Appellant lacked the necessary two years involving administrative, supervisory, or upper level consultative responsibility either in social service programs or in programs primarily oriented to the needs or problems of adult or juvenile offenders; or an equivalent combination of training and experience.

The parties stipulated and agreed that the

Appellant had the other requisite training and experience required. The issue in this case is therefore to the extent that the parties have not stipulated regarding the training and experience, does the Appellant have sufficient qualifications to comply with the training and experience requirement as specified in the job announcement for Parole Board Member dated February 25, 1974.

We find that the Appellant does have the equivalent training and experience necessary and therefore will enter an Order directing that he be admitted to the examination.

We find that while he does not have in number of years, explicitly the two years involved in administrative, supervisory or upper level consultative responsibility in social service programs, he does have equivalent training and experience in dealing with programs involving ex-offenders and the problems and needs of adult or juvenile offenders, as well as other social service programs.

We understand that the Bureau of Personnel is charged with the duty of attempting to administer specifications and that they have done in this instance the best job they can, and we do not fault the Bureau for their performance. We feel, however, that in this judgmental area where there is in the specifications specifically an indication that equivalent training and experience is acceptable that the

Appellant meets this equivalent training and experience.

If one pays attention to the qualifications found in the specification for Parole Board Member and relates those specifically to the training and experience that the Appellant has, his training and experience is equal to, if not better than, that which is required.

It is therefore on the basis of the entire record herein Ordered that the Appellant be, and he hereby is, admitted to take the examination for Parole Board Member.

Board Member Susan Steininger dissents in this Opinion.

Dated: May 17, 1974.

STATE PERSONNEL BOARD

William Ahrens

William Ahrens, Chairman