

4. The position analysis here was performed and the aforesaid information identified by an interview process conducted by a personnel specialist working with 2 job experts who were at one time supervisors of the position with first hand knowledge of it.

5. An updated version of the position analysis was prepared following some modifications of the concept of the job.

6. A high importance job content questionnaire was prepared by a job expert and personnel specialist.

7. This questionnaire identified the relative significance of the tasks and knowledges identified by the position analysis.

8. Following the preparation of the aforesaid questionnaire, the next step in the process was the development of the job elements or dimensions by the personnel specialist working with the job experts.

9. The preparation of the job elements involves the analysis, summarization, and grouping in a more concise manner the more specific highly ranked information contained in the high importance job content questionnaire.

10. The oral examination was developed by a personnel specialist working with the job experts using the aforesaid job elements.

11. For each element, one or more questions were designed to elicit responses which would provide information to board members to determine whether the applicant has the necessary attributes, and the examination contains guidelines for the oral board members to use in evaluating the answers.

12. The oral board members were selected, in part, because in the opinion of the job experts they were competent to evaluate the applicants.

13. The board members were given the opportunity and instructed to study the examination and examination procedures prior to the day of the examination, and met that day prior to the examination to study the exam, discuss the mechanics of the examination, and receive instructions from the DOA personnel specialist.

14. The board asked the same questions of each candidate.

15. Each candidate was equally informed as to what he or she would face prior to taking the exam, and this did not include any instructions on the importance of eye contact although they were informed they could refer to their notes as they participated in the exam.

16. The appellant applied for the position, took the examination on May 20, 1977, was rated 7th of 9 applicants, and was not certified for the position.

17. The appellant worked in this position as a limited term employe prior to and after the examination.

18. The appellant was informed after the examination by one of the board members that he (the board member) had been instructed to grade heavily in the area of eye contact and that the appellant had scored low because of poor eye contact.

19. Eye contact was one facet of one (oral communications) of 5 elements on the examination.

20. The appellant scored 6 of a possible 15 on oral communications and was rated highest (3 of 5) by the rater who made the comment on eye contact. There were a number of adverse comments by the board members on appellant's oral communications skills in addition to lack of eye contact.

21. A reliability analysis of the complete exam results resulted in a correlation coefficient of 0.92.

22. A correlation coefficient of 0.92 is approximately 50% greater than the minimum acceptable value, close to the maximum practically possible value, and is highly indicative that the board members were using the same criteria and were not using different criteria or proceeding other than as they had been instructed.

CONCLUSIONS OF LAW

1. This appeal is properly before the board pursuant to s. 16.05(1)(f), Wis. Stats.

2. The burden of proof is on the appellant. See May v. Knoll, 71 Wis. Pers. Bd. No. 76-66, 101, 124 (6/13/77).

3. The appellant has failed to discharge that burden.

4. The examination in question was of such character as to determine the qualifications, fitness and ability of the persons examined. See s. 16.12(4), Wis. Stats.

OPINION

In the board's opinion, the record reflects that the examination in question was developed and administered in a systematic, thorough, and professional manner, and in compliance with s. 16.12(4), Stats. While it is outside the scope of the stipulated issue, it is further the opinion of the board that the testimony of the state's expert witness and other evidence in the record supports a determination that the exam was content valid.

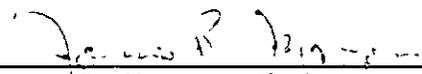
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ORDER

The actions and decisions of the director with respect to the examination for Community Services Technician 2 - Confidential (Job Developer) are affirmed and this appeal is dismissed.

Dated: June 16, 1978

STATE PERSONNEL BOARD


James R. Morgan, Chairperson