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 ROBERT RUHLAND,  
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 Appellant,  
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 v.  
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 DEPUTY DIRECTOR, Bureau of Personnel,  
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 Respondent.  
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 Case No. 77-93  
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**OFFICIAL**

OPINION AND ORDER

Before: James R. Morgan, Calvin Hessert and Dana Warren, Board Members.

NATURE OF THE CASE

This is an appeal of a reclassification pursuant to §16.05 (1)(f), Wisconsin statutes. The appellant was reclassified from Payroll and Benefits Specialist 1 to Payroll and Benefits Specialist 2 following an original request for reclassification to Payroll and Benefits Specialist 3.

FINDINGS OF FACT

1. At all relevant times the appellant has been employed as a Payroll and Benefits Specialist in the Department of Public Instruction (DPI).
2. The appellant's work, in outline form, consists of fringe benefits counseling and administration, payroll preparation, leave accounting, and related duties.
3. The definition section of the class specifications for Payroll and Benefits Specialist 2 is as follows (Respondent's Exhibit 9):

Definition:

This is very responsible administrative technical payroll work in a state agency. An employe in this class functions as either:

1. The person responsible for the central payroll unit of a large state department having a payroll of greater than average complexity. Total employe benefit counseling is not normally a function.

2. The person responsible for the total central payroll unit activities of a medium size state department. Responsibilities include employe benefit counseling and administration.
4. The definition section for Payroll and Benefits Specialist 3 is as follows (Respondent's Exhibit 10):

Definition:

This is highly responsible administrative and technical payroll work guiding the central payroll unit of a large state agency having a highly complex payroll. Employees responsible for the preparation of a large, complex payroll and/or the administration of a varied employe benefit counseling program for a major, decentralized payroll unit within the largest of state agencies are also allocated to this level. In addition to establishing general payroll procedures and policies, employees in this class characteristically have significant program responsibilities such as employe benefit counseling for the entire department, administration of workman's compensation claims and unemployment compensation claims, personnel cost control, and other payroll-related programs. Supervision is received through conferences, discussions of problem areas, and general administrative review.

5. DPI is a medium size state department.
6. The DPI payroll operation is not "highly complex."

CONCLUSIONS OF LAW

1. This matter is properly within the jurisdiction of the Personnel Board pursuant to §16.05 (1)(f), Wis. stats.
2. The appellant has the burden of proof.
3. Board on the requirements of §16.07, Wis. stats., the class specifications for Payroll and Benefits Specialist 2 and 3, and the duties and responsibilities associated with appellant's position, the respondent did not err in reclassifying appellant's position to Payroll and Benefits Specialist 2 rather than Payroll and Benefits Specialist 3.

OPINION

A key factor in this series is the size of the agency. DPI had, at the time the reclassification decision was made, between 690 and 700 permanent employes

and about 300 limited term. Another agency which was considered by the Bureau of Personnel to be medium size, for the purpose of analysis in this series was the Department of Justice, with about 600 permanent employees. Considered "large" were the Department of Revenue and the Department of Administration, with approximately 1,200 and 1,100 permanent employees respectively.

While the number of permanent employees is not the sole factor in the determination of whether a department is " a large state agency having a highly complex payroll," it is highly important. Generally speaking, a larger number of employees will produce more varied kinds of problems, in addition to the added complexity of managing a larger number of individual transactions. Generally speaking, limited term employees represent less complexity because of the fewer fringe benefits to which they are entitled.

The number of employees, standing alone, might be of less significance if there were other factors contributing to the complexity of the payroll operation. The appellant sought to establish that he performed certain functions not common to other positions used as bases for comparison by the Bureau of Personnel, and that, accordingly, this contributed to a comparatively more complex payroll at DPI. However, it is not unusual that administrators of payroll operations in different agencies might use somewhat different procedures and have somewhat different functions regardless of the complexity of their payrolls. In the Board's opinion, those differences established by appellant were either matched by or of less dimension than other differences between appellant's and the comparable positions or were of insufficient magnitude to lead to a different finding on the degree of complexity of the DPI payroll.

For example, the appellant introduced in evidence some records he used in the administration of the DPI payroll, including an alphabetical listing of all

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DPI employes and various appropriation listings of employes. Other payroll administrators testified that similar records were maintained by their clerical personnel or were not felt necessary to maintain because available from other sources. Again, for example, the appellant has the responsibility for teacher's retirement, tax sheltered annuities, and Washington National Insurance. The Department of Revenue payroll manager, classified at the 3 level, compared the teacher's retirement work to her work with protective occupation employes, which appellant doesn't have. The latter two functions are relatively ministerial in nature. The 3 level positions used for comparison had additional areas of complexity, as for example the handling by DOA of the attached executive offices and independent board's and councils involving non-classified employes, high rates of transitions and in some cases, manual payrolls.

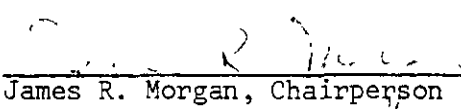
In reclassification appeals the party challenging the Bureau's decision has the burden of proof. See Alderden v. Wettengel, Wis. Pers. Bd. No. 73-87 (6/2/75). In this case the appellant has, not met his burden of proving that the director erred in reclassifying appellant's position to Payroll and Benefits Specialist 2 rather than Payroll and Benefits Specialist 3.

ORDER

The respondent's action and decision is sustained and this appeal is dismissed.

Dated: April 11, 1978

STATE PERSONNEL BOARD

  
James R. Morgan, Chairperson  
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