

request. (See Respondent's Exhibits 1 and 2).

4. To be reclassified to the level of Administrative Secretary 1, appellant's position needed to conform to the following specifications:

"Perform responsible secretarial tasks for chairmen of major academic departments, associate deans; or perform advanced administrative and supervisory clerical tasks in a medium sized organizational unit. Supervises a small clerical staff; develops and revises the operating procedures, makes recommendations on policies and procedures affecting the program, devotes a large percentage of time to the administration, coordination and supervision of a clerical unit." (Respondent's Exhibit 1).

However, the allocation pattern of secretaries at UW-Oshkosh and the overall level of responsibility were also factors in the ultimate determinations as to what classification was most appropriate.

5. The appellant's belief that she was entitled to a higher classification was based on the fact that the department had become larger and, new duties, including supervisory responsibilities, had been added to her position since 1976.

6. The appellant's supervisory responsibility constituted not more than 15% of her total work load.

7. The duties which the appellant characterized as "Advanced Administrative Office Activities" (Respondent's Exhibit 11) are not accurately described to the extent that the appellant's role is somewhat overstated in several instances.

8. The appellant's clerical workload in the Political Science Department is relatively smaller and less complex than in certain other UW-Oshkosh departments which have higher classified secretaries.

9. The appellant's administrative duties are not as complex as

those of the secretary of the UW-LaCrosse Music Department in that the latter position involves, inter alia primary responsibility for administration of a \$50,000 budget, including purchasing authority for supplies and equipment in addition to office supplies.

10. A significant amount of responsibility has been delegated to the appellant by the department chairman, but the duties so delegated are not more complex than would normally be expected under Stenographer 3 classification specifications, which read as follows:

"Positions allocated to this level perform work requiring advanced clerical beginning level supervisory skills. Work at this level is typically varied and complex and is performed under general direction. Positions allocated to this level make recommendations on policies and procedures affecting the immediate work area." (Respondent's Exhibit 2).

OPINION

The question posed by this case is whether or not the appellant's duties were of such content and complexity that they warranted a classification higher than Stenographer 3.

It is clear from the evidence that academic department secretaries are stratified into one of several classification levels based on the complexity of the duties and responsibilities. Logically, the larger a department, the more likely the secretarial position will merit a higher classification. The appellant's department was demonstrably smaller than departments in which higher graded secretaries are assigned.

Moreover, certain evidence presented (e.g. Respondent's Exhibit 2) shows that there are specific characteristics other than department size, which determine what level is appropriate for a given clerical position. The examination of any one of the characteristics alone is

not as significant as how a position compares in content and complexity to other positions of the same ilk. It is in this comparison that the appellant's position failed to measure up to positions typically classified above the Stenographer or Typist 3 level.

The appellant presented a somewhat exaggerated picture of her duties in direct testimony and in some of her written descriptions, but it was apparent from the substantial weight of contrary evidence, that the position is aptly described as "advanced clerical and beginning level supervisory." There was evidence that she acted independently in drafting correspondence, and in performing a variety of administrative tasks. However, this independence is consistent with the "general direction" nomenclature which is applicable to the Stenographer 3 as well as the Administrative Secretary classifications.

At the evidentiary hearing in this case the examiner deferred ruling on the admissibility of Respondent's Exhibit number 3; purportedly a position description prepared by the appellant. The document was introduced by respondent's counsel in an effort to rebut or impeach appellant's testimony as to how many students she supervised. Appellant's representative objected to its admission because it had not been furnished prior to the hearing in accordance with PB 2.01 WAC. (2/20/79 Tr. page 40). Respondent's attorney contended that the presentation of documents not previously filed and served is permissible under the circumstances described here. He argued that based on the then available information and documentation, he had no way of knowing before the hearing that the appellant would testify that she supervised more than two students.

The Commission agrees that Respondent's Exhibit 3 can be characterized as rebuttal evidence and is thus not subject to the prior disclosure requirement.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction in this case pursuant to s. 230.44(1)(a), Stats.
2. The burden was on the appellant to show by the greater weight of credible evidence that the respondent erred in denying her request for reclassification from Stenographer 3 to Administrative Secretary 1 or some higher classification.
3. The appellant failed to sustain the burden of proof and the case must be dismissed.

ORDER

IT IS HEREBY ORDERED that the decision of the respondent in denying the appellant's request for reclassification is AFFIRMED and this case is dismissed.

Dated: August 30, 1979. STATE PERSONNEL COMMISSION



Joseph W. Wiley
Chairperson



Charlotte M. Higbee
Commissioner

JWW:jmg

7/16/79