

STATE OF WISCONSIN

PERSONNEL COMMISSION

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 RUTH ANN BAUHS,  
 ELINOR LILLEY,  
 Appellants,  
 v.  
 DIVISION OF PERSONNEL  
 Respondent.  
 Case Nos. 78-188-PC  
 78-189-PC  
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DECISION  
AND  
ORDER

NATURE OF THE CASE

This is an appeal, pursuant to s. 230.44(1)(a), Wis. Stat., from respondent's denials of appellants' requests for reclassification. The individual appeals of Ms. Lilley and Ms. Bauhs have been consolidated for hearing and decision.

FINDINGS OF FACT

1. Appellants, Ruth Ann Bauhs and Elinor Lilley, up to and including the time of the hearing of this case, are classified as Payroll and Benefits Specialists 2 (Specialists 2) and are lead workers in the payroll section of the Bureau of Financial Management of the Administrative Division of the State Department of Industry, Labor and Human Relations (DILHR). Ms. Bauhs has been a Specialist 2 since late 1976. Ms. Lilley has been a Specialist 2 since approximately December, 1973.

2. In June, 1978, each appellant requested reclassification of her position to that of Payroll and Benefits Specialist 3 (Specialist 3).

3. On or about August 28, 1978, appellants' requests for reclassification were denied. (Respondents Exhibit 1,4).

4. Prior to hearing the merits, appellants requested that the classification of Payroll and Benefits Supervisor 1 be included for consideration; this alternative was not pursued at the hearing so that the only classification here considered is that of Specialist 3.

5. Respondent concluded, as a result of its analysis, that there had been very little change between 1976 and 1978, in appellants' duties and responsibilities; that comparison of examples of work performed by other Specialists 2 and Specialists 3 with the definitional statement contained in the classification specification for Specialists 2 and 3 showed that appellants were properly classified as Specialist 2.

6. In a comparison of DILHR with Department of Transportation (DOT) department payroll section practices, appellants' responsibilities and duties are comparable to those of DOT Specialists 2 in areas of determination and processing of employe fringe benefits; leave accounting; non-standard time reporting; vouchering; reallocation and certification responsibilities; and that this is so although DILHR and DOT payroll sections do differ in organizational set-up.

7. DOT and DILHR have similar payroll problems with respect to getting seasonal employes on and off the payrolls, and with tracking their time off in order to maintain benefits by monitoring the prepayment schedules; there are similar problems with a relatively large volume of non-standard time reporting employes, although DILHR seasonal employes go on and off the payroll in shorter work periods than do employes of DOT.

8. The payroll work done for seasonal employes and LTE's primarily adds to the volume of work to be done and consequently creates greater

chances for error, rather than adding to the complexity of the work performed, since there are established procedures for doing the work, regardless of its volume.

9. The non-standard time reporting has, in general, changed as a result of collective bargaining agreement differentials and with the number of agreements in effect, and the changes have added in general to payroll complexity; but these changes have not occurred only between 1976 and 1978 and do not contribute to a change of duties and responsibilities sufficient to result in reclassification.

10. Classification as Specialist 2 is assigned to employes who perform a variety of relatively complex tasks, and agencies or departments have allocated the tasks in a number of ways so that some Specialists 2 have greater responsibilities for employe benefits counseling or administrative support while others devote more time to payroll processing responsibilities. (Respondent's Exhibit 9-12).

11. A Specialist 3 is responsible for the administrative and technical work of a central payroll unit of a large agency, (Respondent's exhibit 6, 13), and the nature of the position may warrant a supervisory classification; neither Ms. Bauhs nor Ms. Lilley has program or administrative responsibilities at the levels indicated in the Specialist 3 class specifications.

12. Ms. Bauhs has designed and implemented at least one procedure within the payroll unit which affects the paper flow of the payroll process but only within the payroll section and only affecting her area of responsibility; she does not establish or review procedures as part of her ultimate responsibilities and in fact does not have responsibility for the entire payroll process; she does counsel employes as to fringe

benefits but does this along with her supervisor; Ms. Lilley also has counseling duties with respect to the income continuation insurance program, and their supervisor has actual responsibility for development and implementation of a department-wide employe benefit counseling program; Ms. Bauhs is responsible for processing the payroll and for fringe benefit counseling but is organizationally directly responsible to Ms. Betty Pedracine, a Payroll and Benefits Supervisor 3 who is the chief of the payroll section.

13. Ms. Lilley is responsible for reports such as health insurance, retirement, social security and others, for voucher control of the bi-weekly payroll, including the supplementary payrolls and refunds for various employe insurance payments and for employe income continuation insurance counseling; she also sets up certain control procedures but only those pertaining to her area of responsibility; she is also directly responsible to Ms. Pedracine.

14. Comparison of appellants' individual job responsibilities with the responsibilities of a Specialist 3 shows that a Specialist 3 performs a job which essentially consists of the combined duties of Ms. Bauhs and Ms. Lilley. (Respondent's Exhibit 13).

#### CONCLUSIONS OF LAW

1. The Personnel Commission has jurisdiction of these cases pursuant to s. 230.44(1)(a), Wis. Stats.
2. The burden of persuasion is on the appellants to show by the greater weight of the credible evidence that respondent incorrectly denied their requests for reclassification to Specialist 3.
3. Appellants have failed to carry their burden of persuasion.
4. Neither appellant performs her job at a level which place her

under the class specification definition of a Specialist 3.

5. Appellants are properly classified as Specialists 2.

OPINION

The appellants assert that their job duties have gradually changed over time and that the increased complexity of their work, the amount of responsibility involved and the independence allowed them in their performance of duties, justify reclassification of their positions from Specialist 2 to Specialist 3. Respondent asserts that while there may have been some increase in complexity and volume of work, the changes were quite minor and that appellants are working at full performance levels for their classification.

The full performance level for a Specialist 2 includes the knowledge and ability to provide employee benefits counseling, the ability to perform the job in the absence of a supervisor and to participate in maintaining record keeping systems and procedures. The changes purported to have occurred in appellants' jobs do not show on the current and past position descriptions. The most major change which has occurred between 1976 and 1978, as reflected in appellants' position descriptions is that Ms. Bauhs now audits workers compensation claims instead of Ms. Lilley performing that task. The descriptions have been re-written in a slightly new format but otherwise are substantially similar. The testimony of appellants at the hearing was not sufficient to modify the position descriptions and to show by the greater weight of credible evidence that respondent was in error to deny appellants reclassification requests. The appellants' testimony primarily explained how they performed the tasks indicated in the position descriptions. Comparison of appellants with other Specialists 2

failed to show different levels of skill or complexity sufficient to justify a difference in classification levels, but does show the variety of ways in which a Specialist 2 may perform within the job classification specification definition.

ORDER

It is hereby ordered that the decisions of the respondent in denying each appellant's request for reclassification are affirmed and the appeals are dismissed.

Dated Jan 15, 1979

STATE PERSONNEL COMMISSION

Charlotte M. Higbee  
Charlotte M. Higbee, Commissioner