STATE OF WISCONSIN		PERSONNEL COMMISSION
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ALLYN R. SIELAFF,	*	
	*	
Appellant,	*	
	*	
v.	*	INTERIM
•	*	DECISION
DIVISION OF PERSONNEL,	*	
	*	
Respondent.	*	
	*	
Case No. 78-2-PC	*	
	*	
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FINDINGS OF FACT

1. This is an appeal of the denial of a reclassification request.

2. The reclassification request related to a position in the Drug and Alcohol Abuse Section, Bureau of Clinical Services, Division of Corrections occupied by Mr. Gerald Vigdahl.

3. The appeal of that denial was taken by Mr. Sielaff, Administrator of the Division of Corrections.

4. The respondent has objected to subject matter jurisdiction on the grounds that Mr. Sielaff lacks standing to raise the issue in this appeal.

5. This reclassification request was denied on January 23, 1978.

6. The appeal was filed February 16, 1978.

CONCLUSIONS OF LAW

 Pursuant to §129(5), chapter 196, Laws of 1977, this case must be decided by the Commission under prior law, specifically §16.05(1)(f), Stats. (1975).

2. Appellant Sielaff is an interested party under §16.05(1)(f), Stats.

SIELAFF v. Div. of Pers. Case No. 78-2-PC Page 2

(1975).

3. Appellant Sielaff has standing to pursue this appeal.

OPINION

This appeal was filed on the effective date of Chapter 196 and was not transferred to the Commission and is not decided under prior law. §129(5), Chapter 196, Laws of 1977. Section 16.05(1)(e), Stats. (1975) provided for appeals of actions and decisions of the director by "interested parties." Section 227.01(6), Stats., provides for standing for any person whose "substantial interests may be adversely affected" by adverse agency action. The supreme court in <u>Wisconsin's Environmental Decade Inc. v. PSC</u>, 69 Wis. 2d 1, 13 230 N.W. 2d 243 (1975), has held that the law of standing should be liberally and not narrowly or restrictively construed.

Section 230.44(1)(a) Stats. (1977), which now provides for appealable actions, does not set forth who can appeal actions of the administrator. Chapter 227 provides rules of standing, and we must look to the aforesaid subsection.

Mr. Sielaff clearly pursues this appeal in his official capacity as head of the Division of Corrections. In the Commission's opinion his "substantial interests" are affected by the classifications of positions in his agency. These classifications have a bearing on the morale and efficiency of the incumbents and the ability to recruit high quality replacements in the case of vacancies, to mention just a few factors. SIELAFF v. Div. of Pers. Case No. 78-2-PC Page 3

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ORDER

The respondent's motion to dismiss is denied.

Ala 22, 1978. Dated: 4 all D. Autor Edward D. Durkin ٤. Commissioner ź Nov. 22 , 1978. Dated:

. Nighee Charlatte TI Charlotte M. Higbee

Commissioner

Dated:

Nov 22, 1978.

Joseph N. Hiley

Chairperson