

STATE OF WISCONSIN

PERSONNEL COMMISSION

\*\*\*\*\*  
 \*  
 GABRIELLE BLOOD ET AL, \*  
 DANIEL BIER, \*  
 JULIE KUDICK, \*  
 \*  
 Appellants, \*  
 \*  
 v. \*  
 \*  
 Administrator, DIVISION OF \*  
 PERSONNEL, \*  
 \*  
 Respondent. \*  
 \*  
 Case No. 78-278-PC \*  
 \*  
 \*\*\*\*\*

OFFICIAL

DECISION  
AND  
ORDER

NATURE OF THE CASE

This is an appeal pursuant to §230.44(1)(a), Stats. of the denial of certain reclassification requests. A hearing was held before hearing examiner Anthony J. Theodore on April 12, 1979.\*

FINDINGS OF FACT

1. The following findings are with respect to appellant Kudick, and, where noted, to other appellants:

a. She began employment in the classified service at Central Wisconsin Center in June 1969 and with the Community Services Section (CSS) in January 1973.

b. Her initial work with the CSS was as a Home Community Public Health Nurse classified as Registered Nurse 3. This work was in home training, in the Home-Community Service Team in the CSS, providing education to parents of adults or children who are developmentally disabled. In her first four months in this position she was involved 100% in the provision of direct services to families. About 20% of

\* Following the promulgation of a Proposed Decision and Order on July 3, 1979, the matter was held in abeyance at the parties' request to allow an opportunity for settlement.

this involved screening and referral to others for the delivery of services.

c. In April 1973 she and other trainers developed an in-service training program for home trainers employed at the county level, primarily in day service programs.

d. In May 1973, she participated with other home trainers in reaching an agreement with UW extension to provide a minimum of four training institutes every year for home trainees and other professionals working in the area of developmental disabilities. She was involved in the planning committees for each institute, which decided the topics to be covered, the agenda, the persons to be used as presenters, and as a presenter. This involvement continued to some extent through 1978.

e. In the summer of 1973, the home-community service team received a directive from the center director to phase down their direct service work and increase their emphasis on consultative work, as a result of impending legislation with respect to Chapter 51 Boards. This resulted in an increase in consultative services.

f. Over the period of the last six months of 1973, the appellant phased out direct service work and increased consultative work. 72% of her consultative work she performed was related to home training while the remaining 28% was related to consultation in the areas of sexuality in the developmentally disabled, and the presentation of public information programs to schools and agencies on orientation with respect to the developmentally disabled.

g. From February 1974, through March 1975, the appellant was assigned to provide 50% of her time as a home trainer case manager with the outreach training unit at CWC. This unit provided short term care to community children, and did training in the area of behavioral management and functional living skills. Her job within the unit was to establish a program for each child, and to train the parents and the community professionals who would be involved with the child on discharge, and to provide six months follow-up home training services to the families.

h. Also in early 1974 there was an increased emphasis on technical assistance, and she began acting as a broker for technical assistance referrals. This involved taking all kinds of calls for technical assistance processing them and referring them to resources within CWC.

i. The appellant also continued to provide technical assistance herself, of which 40% related to home training and 60% was related to sexuality, orientation to developmental disabilities, and adult programing.

j. In a "Home Training Services-Position Statement" memorandum from the Director, Bureau of Mental Retardation, dated June 21, 1974 (Appellant's Exhibit 4), it was stated that:

"Because of the implementation of Chapter 89, the Home Training Services major emphasis has changed to a responsibility of education.... The community Services Staff at each of the three colonies will be available to provide technical consultation on a time availability basis only ... [and] will be available to the University of Wisconsin Extension/Home Training Specialist Institute for Home Trainers as a resource ...."

k. The appellant continued to provide direct home training services to four families during 1974.

l. The total distribution of appellant's work during 1974 was approximately as follows:

50% - Outreach Training Unit as a home trainer

30% - Providing technical assistance

20% - Direct client services in home training and sexual assessment, and brokering technical assistance

m. The appellant continued her involvement as aforesaid (50%) in the outreach training unit until March 1975.

n. During 1975 the appellant was involved 20% of her time in direct client services in home training and sexual assessment.

o. Between January and March 1975, the appellant continued to spend part of her time in technical assistance.

p. After March 1975, about 80% of her job was involved in technical assistance referrals. Of this, 17% related to home training and 83% to other program areas.

q. The technical assistance work underwent changes in that the technical assistance referral "brokers," including the appellant, themselves developed speciality areas and began doing more consultation work. There also was developed in the fall of 1975 a screening or evaluation tool called program review. This involved travel to agencies and evaluation of all aspects of agency programs and making recommendations for consultation and change, and other

providing, or making provisions for others to provide, the consultation and changes.

r. In August 1975, the appellant requested reclassification to Nursing Consultant 1. Following an audit in January 1976, this request was denied on a delegated basis on February 17, 1976, by the DHSS, Bureau of Administration see Appellant's Exhibit 6, who concluded that the position was appropriately classified as Registered Nurse 3. Appellant did not appeal or seek review of this decision.

s. In 1976, the content of appellant's duties and responsibilities remained essentially the same as 1975, with 95% in community technical assistance, of which 20% involved home training and 80% other program areas, and 5% in direct client services. This latter 5 % consisted of one home training assignment and one sexuality.

t. On November 5, 1976, appellant's supervisor submitted a request for reclassification of all the appellants to Social Services Specialist 1. See Appellant's Exhibit 11. Audits of the positions were conducted in December 1977. Appellant's reclassification requests were denied by memos from the administrator dated November 14, 1978. It was determined that the positions were appropriately classified at the Social Services Specialist 1 level but because there had not been a "logical and gradual" change in the duties and responsibilities of the positions, reclassification was not appropriate and the positions should be filled by competition.

u. In 1977 there were no direct client services and 100%

of appellant's work was in community technical assistance, with 7% of the referrals related to home training and 93% to other program development areas. There was an increase in involvement with the Chapter 51 Board structure and a decrease in involvement with the direct agencies, and an increase in involvement with committees and task forces that had statewide implications.

v. From 1973-1976 the appellant reported to Sharon Hahn who reported to the Community Services Director who reported to the CWC Director. In 1977, the appellant commenced reporting directly to the Community Services Director. Also in 1977, the Bureau of Developmental Disabilities assumed direct responsibility for Community Technical Assistance, so the CWC Director was removed from the line of supervision. Before these changes the appellant received limited supervision. Following the removal of Ms. Hahn's position from the line of supervision, the appellants divided among them the supervisory responsibilities that had been associated with that position.

w. The position of Developmental Disabilities Consultant in the Bureau of Developmental Disabilities was eliminated in Autumn, 1977. This position had been created in early 1974 and had been supervised by the director of the Community Services Section at each center, including CWC. It had served as a consultant to Chapter 51 Boards with respect to program planning, program development, and financial assistance, reviewing county plans and budgets, and coordinating with the district offices in the Division of Mental Hygiene (later the Division of Community Services).

There had been some overlap between appellant's position and this position. After the latter positions were eliminated, there were no longer any field staff of the Bureau of Developmental Disabilities in the counties, and the appellants began to assume the duties associated with those positions.

x. In 1978 the appellant's work involved no direct client services and 100% community technical assistance of which 3% related to home training and 97% to other program areas. The appellant completed the process of assuming the duties of the developmental disabilities consultants.

y. In early fall 1978, the appellant was given the additional assignment of reviewing county plans and budgets, submitting quarterly plans of her work to the Bureau of Developmental Disabilities, and researching and developing model program statements from the Bureau to the Chapter 51 Boards, with respect to the aging, developmentally disabled, covering the kinds of services that should be provided and how this could be implemented.

z. Appellants' appealed the denial of their reclassification request to the Commission on December 11, 1978.

2. The following findings are with respect to appellants Bier, and, where noted, to other appellants:

a. He began work at CWC in October 1978 at the Developmental Evaluation Center (which later came to be called the Community Services Section), in a position with a title of Home Training Specialist classified as a Social Worker 2. He did not do any home training but did clinical evaluation. This involved conducting

evaluations, as part of a team, of mentally retarded persons who lived in the community to assess educational, vocational, and medical needs, and developing a case plan for implementation in the community. The plans involved working with the family and the involved agencies. The appellant did initial evaluation and, if it were determined that evaluation were appropriate, would do a social work history and social work assessment of the systems the client was in. He also worked as part of the team which developed the plan and implemented various parts of the plan. The appellant also provided some limited technical assistance involving in-service training sessions. The appellant worked under limited supervision.

b. In early 1974 the appellant had a discussion with Robert St. John, the CSS Director, who told the appellant that he (the appellant) should put more emphasis on consultation aspects of his job. St. John stated that it was desired to formalize the consultation the center had been providing. The appellant was told he would function as a broker to whom all requests from community agencies for consultation would be channeled and who would decide to whom amongst the CWC staff the consultations would be assigned. The appellant continued with this work for about one year. The other brokers with whom he worked were Julie Kudick, Gabrielle Blood, Howard Harrelson, and Sharon Hahn.

c. In the spring of 1975 the five brokers decided that things weren't working well with this program. The community agencies were submitting requests of a basic nature such as how to get



programs started whereas the center employes receiving referrals were more technically oriented and overly sophisticated with respect to these requests and in many cases were "talking over the heads" of the agency people. The brokers decided to develop their own capacity to respond to many of these referrals and commenced this in the spring of 1975. The appellant's extent of involvement in this direct consultation work gradually increased from that point. The brokers developed their own specialties. Appellant's specialty areas were:

- (1) prevention of developmental disabilities
- (2) program review
- (3) communication with the adult mentally retarded
- (4) mechanisms for dealing with conflict in agencies.

By the spring of 1976, appellant was operating in these broader consultancy areas.

d. In May 1976 the appellant was reclassified to Social Worker 3. The Commission takes official notice of the fact that this would have been a delegated transaction by DHSS.

e. In the fall of 1976 the Bureau of Developmental Disabilities assigned him to be part of a team to study the counties to determine compliance with state standards.

f. In the fall of 1976, Mr. St. John became his immediate supervisor.

g. In January 1977, the Bureau of Developmental Disabilities became formally responsible for the appellant's unit.

h. By January 1978, the Bureau gave the appellant responsibility

to work on developmental disability council planning and to represent the Bureau on certain matters such as certain committees.

i. By June 1978, the appellant was doing work that had been associated with the developmental disabilities consultants.

3. The following findings are made with respect to appellant Blood except where, as noted, they apply to other appellants:

a. The appellant began employment at CWC in July 1972 as a Home Training Specialist classified as a Social Worker 2 under the supervision of Ms. Hahn. Her initial work included client screening for the developmental evaluation center (later called CSS). She also accepted home training referrals from within CWC or from the community. She was involved, with others, in discussions with the UW-Extension regarding supplying institutes for home training consultants and other professionals. She also was involved in putting on various in-service training programs. During this period, about 65% of her work was in direct home training services.

b. In January 1973, Ms. Hahn discussed phasing down direct services and increasing time in the area of consultation as the appellant gained experience. Her duties then included some home training cases working not directly with the family but with the appropriate person who was involved in home training at the community level, setting up district meetings for home training consultants from the counties in the district, the provision of assistance to home trainers on a case-related basis, in-service training for home training, and work on planning committees for the UW-Extension institutes which were attended by home training consultants and

others in the field of developmental disabilities.

c. Her duties from September 1973 to June 1974 included a number of public information activities, the continuation of the UW-Extension activities and district home training meetings. She also offered consultation on the development of home training programs to community boards and agencies. She was doing almost no direct service cases but was doing some case consultation during this period. She also spoke several times about non-home training subjects community services and the Chapter 51 system. She was involved in other activities not related to home training membership on a planning committee for the Dane County 51 Board, consultant to the MARC education group, work with various groups to air a television show on sex education with respect to parents of children who were mentally retarded and had physical disabilities. Overall, approximately 90% of her work during this period consisted of consultative services and program development of which about 50% related to home training.

d. In July 1974 appellant discussed with her supervisor the possibility of reclassification to Social Worker 3. Ms. Hahn stated that such reclassification was not appropriate. The CWC personnel office then told the appellant that she could not see the social worker class specifications without going through her supervisor, and she did not pursue the matter further.

e. During the period from the fall 1974 through July 1975 the appellant had increased contacts with public schools, community boards, and agencies to develop home training programs, did some

consultation on a case basis, continued her involvement with UW-Extension, continued various public information speaking, served on a Division of Health sex education committee, worked on the development of a program for adults with developmental disabilities at a nursing center which in the past had had a mental health/psychiatric function, so that this constituted a new program for it, provision of sex education consultation to a number of day service programs, provision of in-service training regarding 0-3 year olds identified as having developmental disabilities, and consulted with the Wisconsin Association of Retarded Children parent helper program. During this period of time she was doing very little direct service or screening work. In the area of home training her work primarily was in the area of program development and training.

f. In the fall of 1975 the appellant did some research on her classification and requested of the CWC personnel office, and was allowed to read, various class specifications.

g. From July 1975 through June 1976, the appellant had an assignment to work with a district developmental disabilities consultant and to take the requests that were more of a program assistance nature. She developed expertise in certain specialties including prevention and home training, infant (0-3) programs, and information referral. She participated in three statewide committees - WARC prevention committee, the Division of Mental Hygiene prevention committee, and the Division of Health sex education committee. She provided prevention consultation to counties,

continued to provide in-service training, assisted a number of counties with the development of respite care programs, participated in two program reviews, and other consultation. With respect to home training during this period, she was involved in program consultation to four programs, consulted directly with one individual home trainer, and continued her work with the UW-Extension.

h. In January 1976, she asked Ms. Hahn about a Social Worker III classification, and Ms. Hahn said it was not appropriate. The appellant took no further action with respect to her reclassification at this time.

i. In March 1976, she and Bier requested reclassification to Social Worker III. This request was granted in May 1976. The Commission takes official notice of the fact that this would have been a delegated transaction by DHSS.

j. In January 1977, the Bureau of Developmental Disabilities took over the Community Training Assistance program. The appellant's work between July 1976 and July 1977 included provision of home training consultation of a program nature. She also helped in setting up a district meeting in the La Crosse area of home training consultants, continued to work with UW-Extension, continued to assist 0-3 program staff, was involved in in-service training programs for 0-3 staff, for occupational and physical therapists, and for people who wanted to learn those kinds of techniques but were not therapists, assisted in setting up an information and referral statewide workshop, assisted in respite care programs that were being started and reviewed possibility of obtaining

federal grants to assist some northern counties, handled referrals on parent education and case findings, attended county agency and board meetings with the developmental disabilities consultants..

k. From July 1977 through June 1978, the appellants' work included handling referrals on parent education programs, in-service programs, involvement in a workshop for adults with developmental disabilities who had emotional disturbances, handling requests for information about the Wisconsin home training program from other states, some direct assistance to individual local home trainers, work on program review and assisting St. John in preparing a paper on program review. She also provided some assistance to Family Practice Clinic, Nursing Home People Who Care, TRACE center, Wisconsin Early Childhood association, and Sheriff's Department, and assisted new respite care center with staff training. At the request of Bureau of Developmental Disabilities she became involved in a joint agreement meeting between the Division of Community Services and the Department of Public Instruction, worked on the Developmental Disability Council action plan, and worked with bureau staff person examining priorities with respect to the 0-3 child.

l. Between July 1978 and December 1978 she chaired a statewide Division of Community Service Committee on autism, did the Coordinated Plans and Budget review and established working relationships with the two area administrators from the regional office, introduced herself to the developmental disability coordinators from eight counties, became involved in regional meetings,

continued in staff training, was on a planning committee for an extension institute on people with developmental disabilities and drug and alcohol abuse problems, spoke about home training at the Wisconsin Epilepsy Association, and assisted in bringing the Indiana home training model into some of the programs in Wisconsin.

4. In March 1979 the appellants competed for the newly-classified positions and were appointed to serve an original probationary period.

#### CONCLUSIONS OF LAW

1. This case is properly before the Commission pursuant to §230.44(1)(a), Stats. (1977).

2. There was not a "logical and gradual change" in the duties and responsibilities of appellants' positions within the meaning of §Pers. 3.02(4)(a), Wis. Adm. Code.

3. The decision to open appellants' positions to competition was appropriate.

#### OPINION

The parties agreed to the following issues for hearing in this matter:

"1) Whether or not the appellants whose positions were reallocated to the Social Services 1 level should be regraded or whether or not the positions should be opened to competition.

2) If the appellants are regraded with their positions, what should be the effective date of such regrade?" See Commission's Exhibit 3.

Section Pers. 3.02(4), Wis. Adm. Code, provides in part:

"RECLASSIFICATION. The reallocation of a filled position

to a different class and the subsequent regrading of the incumbent by the director as provided in section 16.07(2), Wis. Stats., based upon:

(a) A logical and gradual change to the duties and responsibilities of a position."

The main issue in this case turns on the question of whether there was logical and gradual change in the duties and responsibilities of appellants' positions. The respondent's rationale for denying reclassification was the same for all the appellants. See, e.g., Commission's Exhibit 2B, memo to Bier from Knoll dated November 14, 1978, a copy of which is attached hereto.

In the opinion of the Commission, while the respondent's rationale for the decisions under review is based on a somewhat simplistic and not completely accurate view of the facts related to appellant's positions, it nevertheless must be sustained.

There were two decisions made or participated in by management which are particularly important to this issue. The first was the decision to set up a centralized screening and referral function to handle the requests for assistance which were being received by the center. The second was the decision that the appellants develop consultative specialties.

The transitions of the duties and responsibilities of appellants' positions from the period before these decisions to the period after these decisions were by no means as clear cut as set forth in the November 17, 1978, memos. Both appellants Blood and Kudick had relatively wide varieties of assignments and these were not discontinued in one fell swoop as their duties and responsibilities changed. For example, 50% of Ms. Kudick's duties and responsibilities from February 1974



through March 1975 involved work with the outreach training unit. She began work as a technical assistance broker in early 1974 but during the year continued to provide some direct client services as well as continuing to provide some technical assistance and continuing her 50% involvement in the outreach training unit. As the direct client service work gradually was phased out after she discontinued work with the outreach training unit, the percentage of her time in technical assistance referral increased to 80%.

Also, once the decision was made that the appellants would develop their own consultative specialties, it took some time for the appellants to acquire the ability to function fully in these areas.

However, what is of most significance to the Commission is that the decisions in question resulted in significant substantive conceptual changes in the duties and responsibilities of the appellants' positions, even though these changes took some time to implement fully.

During the hearing of this matter the attorney for the respondent stated in her opening statement that there should have been an examination for these positions in the spring of 1974. As set forth in the findings, DHSS reviewed the classifications of all the appellants' positions in the early part of 1976. DHSS concluded that the RN3 classification was correct as to Ms. Kudick's position, and that Mr. Bier and Ms. Blood should be reclassified to Social Worker 3. These results certainly appear to be inconsistent with the aforesaid position of the respondent as well as with the November 14, 1978 memos from Mr. Knoll denying the reclassification requests. If DHSS personnel had taken the same approach to these positions in 1976 as was taken by respondent, the appellants

very likely could have competed for these positions at the higher level, been promoted, and served their probations, some two years ago.

These circumstances suggest that equity would be served by an approach that would rectify, to some extent, the failure of DHSS to take appropriate action in 1976 or earlier. One possibility would be a retroactive adjustment of appellants' Social Services Specialist 1 salary. As noted in the findings, the 1976 transactions were not appealed, and an order directing payment of such back pay also would be outside the scope of the stipulated issues. However, the respondent has overall authority for the classification system, including reclassification and reallocation actions, see §230.09, Stats. (1977), and pursuant to §230.05(4) may "issue enforceable orders on all matters relating to the administration, enforcement and effect of the provisions of this subchapter the responsibility for which is specifically charged to the administrator."

Therefore, while the Commission will dismiss this appeal, it suggests to the Division that it consider corrective action as aforesaid.

ORDER

The respondent's decision dated November 14, 1978, denying appellants' reclassification request is affirmed and this appeal is dismissed.

Dated: Dec 17, 1979. STATE PERSONNEL COMMISSION

Charlotte M. Higbee /sqd  
Charlotte M. Higbee, Chairperson

Donald R. Murphy /sqd  
Donald R. Murphy, Commissioner

Gordon H. Brehm /sqd  
Gordon H. Brehm, Commissioner

December 7, 1978

RECEIVED

DEC 11 1978

Personnel  
Commission

John Wiley, Chairperson  
Personnel Commission  
131 West Wilson  
Madison, Wisconsin 53702

Dear Mr. Wiley:

We received correspondence related to our Reclassification Request on November 14, 1978 from the Division of Personnel, allowing the reclassification of our positions but denying us these positions. Since we have held these positions since 1974, we believe that this action is unjust. Further we believe that the method of denying us these positions is a violation of Wisconsin's Administrative Code.

Therefore we wish to appeal the part of the decision that denies us the positions. We will be represented at the prehearing by the Wisconsin State Employees Union.

Sincerely,

*Gabrielle Blood, Daniel Bier, Julie Kudick*

Gabrielle Blood  
Daniel Bier  
Julie Kudick

COMMISSION'S

EXHIBIT # 1

cc: Helen Marks Dicks, WSEU  
Dan Roberts, WSEU  
Earl Abell, CWC  
Ross Porter, CWC

# CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

**Date:** November 14, 1978  
**To:** Gabrielle Blood  
Central Wisconsin Center  
317 Knutson Drive  
Madison, WI 53704  
**From:** Verne H. Knoll  
Acting Deputy Administrator  
Division of Personnel  
Department of Employment Relations  
**Subject:** Reclassification Request

File Ref.

*Verne H. Knoll*



At your request, a review of a decision by the Department of Health and Social Services Personnel Office was completed by the Division of Personnel. The re-review, consisting of an audit of your position, the examination of considerable documentation relating to the development of the position you presently occupy, comparisons to the class specifications and other positions, and discussions with other employes familiar with your position was conducted by Paul Hanks, Personnel Specialist of my staff. A classification analysis of the duties and responsibilities in question indicates that they are appropriately classified at the Social Services Specialist 1 level which is the level originally requested. Our review also indicated that the manner in which these duties were assigned requires that the higher classification level be filled by competition rather than reclassification.

The Position Description submitted with the Reclassification Request, and the information obtained during the position audit indicated that this position is responsible for providing direct and specialized consultative services to county and community-based boards or agencies which provide direct services to the Developmentally Disabled population. This consultation is in the form of program reviews, provision of education and training to agencies, development and implementation of intervention strategies and subsequent evaluation of these remedial steps, representation of the Bureau of Developmental Disabilities in regard to the review and approval of Community Plans and Budgets, development and implementation of specific training activities aimed at community professionals, and establishment of cooperative consultative relationships with the Division of Community Services regional office.

Although the duties and responsibilities outlined above compare very favorably with those assigned other Social Services Specialist 1 positions in State Service, and clearly meet the classification specifications for Social Services Specialist 1, the circumstances surrounding this situation make it inappropriate to reclassify the position and subsequently regrade you to the Social Service Specialist 1 level as requested.

According to Wisconsin's Administrative Code, section Pers. 3.02(4)(a), reclassification is defined as the reallocation of a filled position and the regrading of the incumbent as a result of a logical and gradual change in the duties and responsibilities of a position. The following paragraphs explain the rationale behind the denial of your reclassification request, and the manner in which the position, as presently described, was developed.

**COMMISSION'S**

**EXHIBIT #** 2A

Previous to the development of the position you now occupy, you were assigned to a position which was located in the Evaluation Center of the Community Services Program at Central Wisconsin Center and your working title was Home Training Specialist. The responsibilities assigned to you were part of a service offered to families coming to Central Center for evaluations of developmentally disabled individuals. Specifically, your role was to provide resources to families rearing developmentally disabled individuals. In addition to casework, you also assisted community-based social service agencies by providing them with staff training which would enable them to directly train families. You also provided home training consultation to other programs in the Development Evaluation Center such as pre-vocational evaluation planning or respite care evaluation-planning and you participated in various seminars or other workshops aimed at individual professional development.

In early 1974, as a result of increasing feelings that community agencies should be providing more direct services to developmentally disabled clients, the Community Technical Assistance (CTA) Unit at Central Wisconsin Center was created. The purpose of this unit was to provide locally based social service agencies with consultative resources in all programmatic areas dealing with the developmentally disabled. The staff of this unit was informally selected by Mr. Robert St. John, the Institution Treatment Director at that time. Five staff members of the existing evaluation center (i.e., a Social Service Specialist, a Vocational Rehabilitation Supervisor, two Social Workers and a Registered Nurse) were selected to provide these formally defined consultative services. It is important to note that at the time of this selection, there were many other employees in the same or similar classifications at Central Center who would have been eligible to compete for these "new" jobs had they been announced and filled as new positions.

The "new" position which you were assigned to in the Community Technical Assistance Unit differed from the Home Training Specialist position in that the primary purpose of positions in Community Technical Assistance was to provide wide-ranging technical assistance to locally based social service agencies and to promote the development of existing or new resources at the local level. In contrast, the former positions in the Evaluation Center existed primarily to provide case evaluations of developmentally disabled individuals, as well as assessing other available resources to assist families raising these individuals. As part of these responsibilities, consultation was provided to other social service agencies, but only in the home training area. This type of limited consultation was appropriate given the position classification at that time. Responsibility for casework and consultation in a limited capacity such as home training is considered to be fundamentally different than having the responsibility of consulting with other social service agencies in broad areas, such as your current involvement in comprehensive developmental disability programs. This difference between casework with limited consultative duties and program consultation in broad areas is a major distinction between the Social Worker and Social Service classes. In addition, the current reporting relationship is different from that which previously existed in the evaluation unit. Positions in the evaluation unit were closely allied with Central Wisconsin Center as a facility and supervision was received from the Institution Treatment Director. While the present position is still physically located at CWC, the work assignments, work plans and work products are received from and reviewed by the central Bureau of Developmental Disabilities. This particular change further highlights the fact that new and different positions were created when CTA became a recognized program.

RECEIVED

DEC 11 1973

November 14, 1978

Subsequent to the organization of the Community Technical Assistance Unit and as a result of the H&SS departmental reorganization, additional changes in these new positions have taken place since positions formerly located in the Bureau of Developmental Disabilities were abolished in a move that reflected the objective of establishing strong decentralized representation. Some of the duties assigned to those positions were reassigned to the Community Technical Assistance Units at the Developmental Disability Centers. Specifically, the review of Community Plans and Budgets used to be carried out by these central office positions and are now carried out by positions such as the one in question. During the audit, it was suggested that the addition of this former central office responsibility was a key factor in the review of your reclassification request and subsequent decision by the H&SS Personnel Office. It should be clarified that it is our conclusion that the new positions were created when the Community Technical Assistance Unit was developed and this additional responsibility only reflects a further programmatic change which does not affect the basic intent of the position.

Since we consider that these actions (in total) resulted in the creation of "new" positions, and that the informal selection of the present incumbents effectively precluded competitive participation by other state employees, it is our determination that the positions should now be opened for competition. It should be noted here that the development of the CTA unit at Central Wisconsin Center was paralleled at the Northern and Southern Centers for the Developmentally Disabled. Although the development of the CTA units at Northern and Southern occurred at a later date than is the case at Central Center, the programmatic intent behind the creation of these units, and the subsequent effect on individual positions was essentially the same. Since the staff positions in Northern and Southern's CTA units constituted "new" positions, the positions were filled through competitive examination.

If you do not agree with the decision contained in this letter, you may file a written appeal with the Personnel Commission within 30 days of your receipt of this letter.

VHK:PH:brs

cc: Ken DePrey  
Brian Fancher

RECEIVED

DEC 11 1978

Personnel  
Commission

**CORRESPONDENCE / MEMORANDUM**

**STATE OF WISCONSIN**

**Date:** November 14, 1978

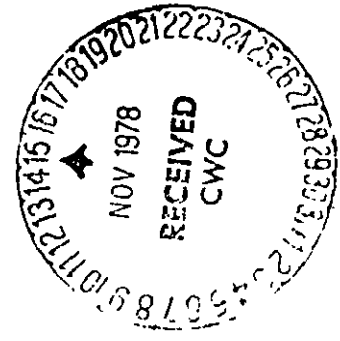
*File Ref*

**To:** Daniel Bier  
 Central Wisconsin Center  
 317 Knutson Drive  
 Madison, WI 53704

**From:** Verne H. Knoll  
 Acting Deputy Administrator  
 Division of Personnel  
 Department of Employment Relations

**Subject:** Reclassification Request

*Verne H. Knoll*



At your request, a review of a decision by the Department of Health and Social Services Personnel Office was completed by the Division of Personnel. The re-review, consisting of an audit of your position, the examination of considerable documentation relating to the development of the position you presently occupy, comparisons to the class specifications and other positions, and discussions with other employes familiar with your position was conducted by Paul Hankes, Personnel Specialist of my staff. A classification analysis of the duties and responsibilities in question indicates that they are appropriately classified at the Social Services Specialist 1 level which is the level originally requested. Our review also indicated that the manner in which these duties were assigned requires that the higher classification level be filled by competition rather than reclassification.

The Position Description submitted with the Reclassification Request, and the information obtained during the position audit indicated that this position is responsible for providing direct and specialized consultative services to county and community-based boards or agencies which provide direct services to the Developmentally Disabled population. This consultation is in the form of program reviews, provision of education and training to agencies, development and implementation of intervention strategies and subsequent evaluation of these remedial steps, representation of the Bureau of Developmental Disabilities in regard to the review and approval of Community Plans and Budgets, development and implementation of specific training activities aimed at community professionals, and establishment of cooperative consultative relationships with the Division of Community Services regional office.

Although the duties and responsibilities outlined above compare very favorably with those assigned other Social Services Specialist 1 positions in State Service, and clearly meet the classification specifications for Social Services Specialist 1, the circumstances surrounding this situation make it inappropriate to reclassify the position and subsequently regrade you to the Social Service Specialist 1 level as requested.

According to Wisconsin's Administrative Code, section Pers. 3.02(4)(a), reclassification is defined as the reallocation of a filled position and the regrading of the incumbent as a result of a logical and gradual change in the duties and responsibilities of a position. The following paragraphs explain the rationale behind the denial of your reclassification request, and the manner in which the position, as presently described, was developed.

**COMMISSION'S**

**EXHIBIT #** *LB*

**RECEIVED**

DEC 11 1978

Personnel  
Commission

November 14, 1978

Previous to the development of the position you now occupy, you were assigned to a position which was located in the Evaluation Center of the Community Services Program at Central Wisconsin Center and your working title was Home Training Specialist. The responsibilities assigned to you were part of a service offered to families coming to Central Center for evaluations of developmentally disabled individuals. Specifically, your role was to provide resources to families rearing developmentally disabled individuals. In addition to casework, you also assisted community-based social service agencies by providing them with staff training which would enable them to directly train families. You also provided home training consultation to other programs in the Development Evaluation Center such as pre-vocational evaluation planning or respite care evaluation-planning and you participated in various seminars or other workshops aimed at individual professional development.

In early 1974, as a result of increasing feelings that community agencies should be providing more direct services to developmentally disabled clients, the Community Technical Assistance (CTA) Unit at Central Wisconsin Center was created. The purpose of this unit was to provide locally based social service agencies with consultative resources in all programmatic areas dealing with the developmentally disabled. The staff of this unit was informally selected by Mr. Robert St. John, the Institution Treatment Director at that time. Five staff members of the existing evaluation center (i.e., a Social Service Specialist, a Vocational Rehabilitation Supervisor, two Social Workers and a Registered Nurse) were selected to provide these formally defined consultative services. It is important to note that at the time of this selection, there were many other employees in the same or similar classifications at Central Center who would have been eligible to compete for these "new" jobs had they been announced and filled as new positions.

The "new" position which you were assigned to in the Community Technical Assistance Unit differed from the Home Training Specialist position in that the primary purpose of positions in Community Technical Assistance was to provide wide-ranging technical assistance to locally based social service agencies and to promote the development of existing or new resources at the local level. In contrast, the former positions in the Evaluation Center existed primarily to provide case evaluations of developmentally disabled individuals, as well as assessing other available resources to assist families raising these individuals. As part of these responsibilities, consultation was provided to other social service agencies, but only in the home training area. This type of limited consultation was appropriate given the position classification at that time. Responsibility for casework and consultation in a limited capacity such as home training is considered to be fundamentally different than having the responsibility of consulting with other social service agencies in broad areas, such as your current involvement in comprehensive developmental disability programs. This difference between casework with limited consultative duties and program consultation in broad areas is a major distinction between the Social Worker and Social Service classes. In addition, the current reporting relationship is different from that which previously existed in the evaluation unit. Positions in the evaluation unit were closely allied with Central Wisconsin Center as a facility and supervision was received from the Institution Treatment Director. While the present position is still physically located at CWC, the work assignments, work plans and work products are received from and reviewed by the central Bureau of Developmental Disabilities. This particular change further highlights the fact that new and different positions were created when CTA became a recognized program.

RECEIVED

DEC 11 1978

Personnel  
Commission



Subsequent to the organization of the Community Technical Assistance Unit and as a result of the H&SS departmental reorganization, additional changes in these new positions have taken place since positions formerly located in the Bureau of Developmental Disabilities were abolished in a move that reflected the objective of establishing strong decentralized representation. Some of the duties assigned to those positions were reassigned to the Community Technical Assistance Units at the Developmental Disability Centers. Specifically, the review of Community Plans and Budgets used to be carried out by these central office positions and are now carried out by positions such as the one in question. During the audit, it was suggested that the addition of this former central office responsibility was a key factor in the review of your reclassification request and subsequent decision by the H&SS Personnel Office. It should be clarified that it is our conclusion that the new positions were created when the Community Technical Assistance Unit was developed and this additional responsibility only reflects a further programmatic change which does not affect the basic intent of the position.

Since we consider that these actions (in total) resulted in the creation of "new" positions, and that the informal selection of the present incumbents effectively precluded competitive participation by other state employees, it is our determination that the positions should now be opened for competition. It should be noted here that the development of the CTA unit at Central Wisconsin Center was paralleled at the Northern and Southern Centers for the Developmentally Disabled. Although the development of the CTA units at Northern and Southern occurred at a later date than is the case at Central Center, the programmatic intent behind the creation of these units, and the subsequent effect on individual positions was essentially the same. Since the staff positions in Northern and Southern's CTA units constituted "new" positions, the positions were filled through competitive examination.

If you do not agree with the decision contained in this letter, you may file a written appeal with the Personnel Commission within 30 days of your receipt of this letter.

VHK:PH:brs

cc: Ken DePrey  
Brian Fancher

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

Date November 14, 1978

File Ref:

To: Julie Kudick  
Central Wisconsin Center  
317 Knutson Drive  
Madison, WI 53704

From: Verne H. Knoll  
Acting Deputy Administrator  
Division of Personnel  
Department of Employment Relations

Subject: Reclassification Request

*Verne H. Knoll*



At your request, a review of a decision by the Department of Health and Social Services Personnel Office was completed by the Division of Personnel. The re-review, consisting of an audit of your position, the examination of considerable documentation relating to the development of the position you presently occupy, comparisons to the class specifications and other positions, and discussions with other employees familiar with your position was conducted by Paul Hanks, Personnel Specialist of my staff. A classification analysis of the duties and responsibilities in question indicates that they are appropriately classified at the Social Services Specialist 1 level which is the level originally requested. Our review also indicated that the manner in which these duties were assigned requires that the higher classification level be filled by competition rather than reclassification.

The Position Description submitted with the Reclassification Request, and the information obtained during the position audit indicated that this position is responsible for providing direct and specialized consultative services to county and community-based boards or agencies which provide direct services to the Developmentally Disabled population. This consultation is in the form of program reviews, provision of education and training to agencies, development and implementation of intervention strategies and subsequent evaluation of these remedial steps, representation of the Bureau of Developmental Disabilities in regard to the review and approval of Community Plans and Budgets, development and implementation of specific training activities aimed at community professionals, and establishment of cooperative consultative relationships with the Division of Community Services regional office.

Although the duties and responsibilities outlined above compare very favorably with those assigned other Social Services Specialist 1 positions in State Service, and clearly meet the classification specifications for Social Services Specialist 1, the circumstances surrounding this situation make it inappropriate to reclassify the position and subsequently regrade you to the Social Service Specialist 1 level as requested.

According to Wisconsin's Administrative Code, section Pers. 3.02(4)(a), reclassification is defined as the reallocation of a filled position and the regrading of the incumbent as a result of a logical and gradual change in the duties and responsibilities of a position. The following paragraphs explain the rationale behind the denial of your reclassification request, and the manner in which the position, as presently described, was developed.

**COMMISSION'S**

*QC*

**RECEIVED**

DEC 11 1978

Personnel  
Commission

**EXHIBIT #**

Previous to the development of the position you now occupy, you were assigned to a position which was located in the Evaluation Center of the Community Services Program at Central Wisconsin Center and your working title was Home Training Specialist. The responsibilities assigned to you were part of a service offered to families coming to Central Center for evaluations of developmentally disabled individuals. Specifically your role was to provide resources to families rearing developmentally disabled individuals. In addition to casework, you also assisted community-based social service agencies by providing them with staff training which would enable them to directly train families. You also provided home training consultation to other programs in the Development Evaluation Center such as pre-vocational evaluation planning or respite care evaluation-planning and you participated in various seminars or other workshops aimed at individual professional development.

In early 1974, as a result of increasing feelings that community agencies should be providing more direct services to developmentally disabled clients, the Community Technical Assistance (CTA) Unit at Central Wisconsin Center was created. The purpose of this unit was to provide locally based social service agencies with consultative resources in all programmatic areas dealing with the developmentally disabled. The staff of this unit was informally selected by Mr. Robert St. John, the Institution Treatment Director at that time. Five staff members of the existing evaluation center (i.e., a Social Service Specialist, a Vocational Rehabilitation Supervisor, two Social Workers and a Registered Nurse) were selected to provide these formally defined consultative services. It is important to note that at the time of this selection, there were many other employees in the same or similar classifications at Central Center who would have been eligible to compete for these "new" jobs had they been announced and filled as new positions.

The "new" position which you were assigned to in the Community Technical Assistance Unit differed from the Home Training Specialist position in that the primary purpose of positions in Community Technical Assistance was to provide wide-ranging technical assistance to locally based social service agencies and to promote the development of existing or new resources at the local level. In contrast, the former positions in the Evaluation Center existed primarily to provide case evaluations of developmentally disabled individuals, as well as assessing other available resources to assist families raising these individuals. As part of these responsibilities, consultation was provided to other social service agencies, but only in the home training area. This type of limited consultation was appropriate given the position classification at that time. Responsibility for casework and consultation in a limited capacity such as home training is considered to be fundamentally different than having the responsibility of consulting with other social service agencies in broad areas, such as your current involvement in comprehensive developmental disability programs. This difference between casework with limited consultative duties and program consultation in broad areas is a major distinction between the Social Worker and Social Service classes. In addition, the current reporting relationship is different from that which previously existed in the evaluation unit. Positions in the evaluation unit were closely allied with Central Wisconsin Center as a facility and supervision was received from the Institution Treatment Director. While the present position is still physically located at WC, the work assignments, work plans and work products are received from and reviewed by the central Bureau of Developmental Disabilities. This particular change further highlights the fact that new and different positions were created when CTA became a recognized program.

Subsequent to the organization of the Community Technical Assistance Unit and as a result of the HESS departmental reorganization, additional changes in these new positions have taken place since positions formerly located in the Bureau of Developmental Disabilities were abolished in a move that reflected the objective of establishing strong decentralized representation. Some of the duties assigned to those positions were reassigned to the Community Technical Assistance Units at the Developmental Disability Centers. Specifically, the review of Community Plans and Budgets used to be carried out by these central office positions and are now carried out by positions such as the one in question. During the audit, it was suggested that the addition of this former central office responsibility was a key factor in the review of your reclassification request and subsequent decision by the HESS Personnel Office. It should be clarified that it is our conclusion that the new positions were created when the Community Technical Assistance Unit was developed and this additional responsibility only reflects a further programmatic change which does not affect the basic intent of the position.

Since we consider that these actions (in total) resulted in the creation of "new" positions, and that the informal selection of the present incumbents effectively precluded competitive participation by other state employees, it is our determination that the positions should now be opened for competition. It should be noted here that the development of the CTA unit at Central Wisconsin Center was paralleled at the Northern and Southern Centers for the Developmentally Disabled. Although the development of the CTA units at Northern and Southern occurred at a later date than is the case at Central Center, the programmatic intent behind the creation of these units, and the subsequent effect on individual positions was essentially the same. Since the staff positions in Northern and Southern's CTA units constituted "new" positions, the positions were filled through competitive examination. ?

If you do not agree with the decision contained in this letter, you may file a written appeal with the Personnel Commission within 30 days of your receipt of this letter.

VHK:PH:brs

cc: Ken DePrey  
Brian Fancher

RECEIVED

DEC 11 1978

Personnel  
Commission