



50% A. Provision of Office Management Function.

- (1) Manages the preparation and coordination of budget and grant requests.
- (2) Maintains divisional budget control.
- (3) Manages equipment expenditures and space needs.
- (4) Directs inventory control.
- (5) Manages telephone, printing and publication services.
- (6) Reviews and manages requests for personnel and training.
- (7) Interviews, screens, and hires and/or recommends for hiring prospective secretarial, investigative and law clerk employes.
- (8) Prepares position descriptions.
- (9) Manages secretarial services and training.
- (10) Performs liaison function between divisions.
- (11) Manages purchasing and procurement for division.

30% B. Assists division administrator.

- (1) Evaluates present divisional programs, policies and rules and conducts special study projects.
- (2) Implements new work procedures.
- (3) Coordinates preparation of case material.
- (4) Maintains notice of claim files and coordinates file activity.

20% C. Supervises unit activities and personnel.

- (1) Counsels, evaluates, and effectively recommends formal discipline of employes.
- (2) Manages library, receptionist, investigative and word processing operations.
- (3) Reviews and directs progress of LTE case workers.

4. The appellant reports to the Administrator of the Legal Services Division, a position classified at the Attorney 15 level, who provides broad and general direction and supervision to the appellant.

5. Most of the clerical and related employes in the division report directly to the functional unit heads (e.g., civil litigation, consumer protection, etc.); the appellant directly supervises one Administrative Secretary 1, one Administrative Secretary 2, one Clerk 3, one Librarian 3, one Investigator, two Administrative Assistant 1's, one Administrative

Assistant 2, and one Library Assistant (or comparable classifications as revised by the 1979 clerical survey).

6. The class specifications for Administrative Assistant 5 (Respondent's Exhibit 5), contain the following definition section:

This is responsible line administrative and/or professional staff assistance work in a large state agency. Employees in this class direct an important function of the department and/or provide staff services in management areas such as accounting, purchasing, personnel or budget preparation. Employees may be responsible for supervising a staff of technical, semi-professional or professional employees in directing the assigned program. Employees have a great deal of latitude in areas of decision making and initiating action within a broad framework of laws and rules. Work is evaluated by administrative superiors through conferences, personal observations and reports.

7. The class specifications for Administrative Officer 1 (Respondent's Exhibit 6) contain the following definition section:

This is responsible and difficult administrative and/or advanced staff assistance work in a major state agency. Employees in this class are responsible for directing important phases of the department's program and/or for providing staff services in a variety of management areas. Work may involve assisting in the formulation of the agency's policies, the preparation of the budget, responsibility for fiscal management, physical plant, operating procedures, personnel and other management functions. Employees supervise a staff of technical and/or professional assistants and have a wide latitude for planning and decision making guided by laws, rules and departmental policy. Direction received is of a broad and general nature and the work is reviewed by administrative superiors through reports and conferences.

8. The following positions are classified as Administrative Assistant 5:

A. Edwin Jones, District Chief of Administration and Management Services, District 3, Division of Highways, Department of Transportation. Advises and assists the District Engineer in

administration of the District's fiscal program, including payroll and budget coordination, preparation, updating and control; personnel and position management; employe training, development and safety; space and facility management, including communications and data processing systems and equipment; inventory and insurance, secretarial, clerical, filing, forms management and reproduction services, public information, and District fleet management.

B. Peter G. Sahigian, Chief, Central Services, Administrative Services Division, Department of Revenue. Supervises approximately 77 positions in the operation of the central files, mail and machine room, office, and storekeeping subunits. This unit provides custody and maintenance of state income and sales and withholding tax files, and processes several million pieces of incoming and outgoing mail. This position evaluates and updates procedures, monitors expenditures, develops the budget, supervises the staff, and insures compliance with division policies, rules, and regulations.

C. Jack Morehouse, Chief, Management Services Section, Administrative Services Division, Department of Administration. This section is responsible for providing various services, including printing, purchasing, space and telecommunications, forms and records, and publications, to units of DOA. This position develops policies and procedures for the provision of services to units, determines the need for services; administers DOA contracts with other government agencies and private vendors, including the negotiation of

contract provisions and providing assistance to DOA units regarding contract compliance, and recommending actions to be taken against contractors for non-compliance; supervision of professional, para-professional and clerical staff; and provision of training to DOA personnel in related areas.

9. The appellant's position is not at a higher level, in terms of authority, responsibility and nature of work required, than the positions set forth in the preceding paragraph.

10. The following positions are classified as Administrative Officer 1:

A. Allan L. Robinson, Director, Bureau of Administrative Services, Safety and Building Division, DILHR. Provides administrative support for the division. Work includes supervising the Bureau of Administrative Services; providing budgetary and staffing controls for the division, including, with respect to budgetary matters, the handling and projection of program revenue generated by license and fees payments; performing general division level administrative duties including assisting the division administrator and conducting studies and surveys.

B. Peter J. Tropman, Assistant to Administrator, Division of Policy and Budget, DHSS. Directs administrative services such as organizational development, personnel, purchasing, budget development and fiscal control, position control and similar administrative matters; provides staff assistance to the administrator in policy development

and program review; directs clerical administrative support unit and is divisional affirmative action designee; completes various special projects and staff assignments made by the division administrator, including the collection and organization of information for the preparation of special reports; attending division staff meetings, preparing the agenda, and following through with department or division staff to ensure that agenda items are completed; critically analyzing requests/reports from bureaus, obtaining additional information as needed, and summarizing materials for review and evaluation by the division administrator; preparing responses to sensitive correspondence as assigned by the division administrator; assigning high priority inquiries (usually legislative) to bureau directors and monitoring them to assure that appropriate responses are met within deadlines; acting for the division administrator on special projects such as a study of state-wide cost analysis for a prison site location and speaking for the division administrator on this subject.

11. The appellant's position is approximately at the same level, in terms of authority, responsibility, and nature of work required, as the position set forth in paragraph 10A.

12. The appellant's position is at a lower level, in terms of authority, responsibility and nature of work, than the position set forth in paragraph 10B.

13. The duties and responsibilities of appellant's position are better described by the class specifications for Administrative Assistant 5 than by the class specifications for Administrative Officer 1.

#### CONCLUSIONS OF LAW

1. This matter is appropriately before the Commission pursuant to §230.44(1)(a), Wis. Stats.

2. The appellant has the burden of proving that the respondent's denial of the request for reclassification of appellant's position from Administrative Assistant 5 - Confidential to Administrative Officer 1 - Confidential was not correct.

3. The appellant failed to sustain that burden.

4. The respondent's denial of the request for reclassification of appellant's position from Administrative Assistant 5 - Confidential to Administrative Officer 1 - Confidential was correct.

#### OPINION

The Administrative Officer 1 (AO 1) class specifications (Respondent's Exhibit 6) clearly contemplates that either program or staff support work can qualify for this classification:

"This is responsible and difficult administrative and/or advanced staff assistance work in a major state agency. Employees in this class are responsible for directing important phases of the department's program and/or for providing staff services in a variety of management areas." (emphasis added)

There is a substantial question whether the administrator based his decision denying this reclassification request on a full consideration

of both of these possibilities under the class specifications. The memo setting forth the rationale for denial (Respondent's Exhibit 1) quotes part of the AO 1 class specifications, but not the parts underlined above. The same memo uses as comparable AO 1 positions three positions which are essentially concerned with program functions.

However, the Commission is of the opinion, on the basis of the evidence presented at the hearing, that the respondent must be sustained in his decision to deny the reclassification request.

Three Administrative Assistant 5 (AA 5) positions were compared to the appellant's position. These three positions are quite strong in terms of the classification criteria and are at least equal to the appellant's position. For example, the Management Services Section position in DOA is responsible for the provision of a number of staff support services to units in DOA. In addition it has extensive duties and responsibilities for negotiating and administering contracts with other governmental agencies and private vendors.

With respect to the AO 1 positions that had a more administrative support orientation (see Appellant's Exhibits 1 and 3, finding 10), the appellant's position was approximately comparable, at least on this record, with the Robinson position (finding 10A). While this position had a somewhat more complicated budget activity, this was balanced by the appellant's responsibility for supervision of the departmental library and the investigator. However, the appellant's position was not at the same level as the Tropman position (finding 10B). Despite its overall



staff support orientation, it has more significant program functions including prison site location work.

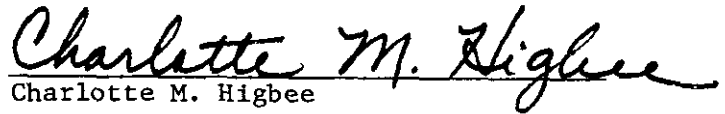
Taking all these factors into consideration, the appellant did not satisfy his burden of establishing that the administrator erred in his denial of this reclassification request and that his position more appropriately is classified as an Administrator Officer 1.

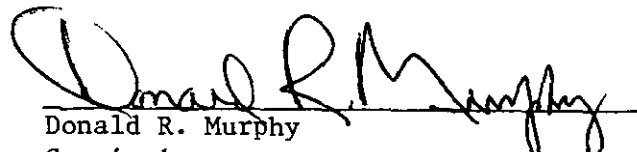
ORDER


The respondent's action is affirmed and this appeal is dismissed.

Dated Nov. 24, 1980

STATE PERSONNEL COMMISSION

  
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Chairperson

  
Donald R. Murphy  
Commissioner

  
Gordon H. Brehm  
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AJT:mew

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