
 *
 RUDOLPH POLENZ, et al, *
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 Appellants, *
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 v. *
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 Administrator, DIVISION OF *
 PERSONNEL, *
 *
 Respondent. *
 *
 Case No. 79-377-PC *
 *

OFFICIAL

DECISION
 AND
 ORDER

NATURE OF THE CASE

This is an appeal pursuant to s.230.44(1)(a), Stats., of the reallocation of Phillip Staff from Management Information Supervisor 3 to Management Information Supervisor 5.

FINDINGS OF FACT

1. The appellant at all times relevant has been employed by the University of Wisconsin-Eau Claire as assistant director of Information Systems and Computing Services.
2. This position was reallocated to Management Information Supervisor 5 (Pay Range 1-16) on October 7, 1979, as the result of a state-wide data processing survey conducted by respondent.
3. The respondent, following an audit, denied the request for reallocating appellant's position to Management Information Supervisor 6 (Pay Range 1-17). See Respondent's Exhibit 1.
4. Appellant began work at the University in July, 1969, as a student computer programmer, was an LTE programmer from January to April, 1970; began as a career candidate programmer in April, 1970; was promoted to systems coordinator in 1972, and was named assistant director about 1974.

5. At the time of the reallocation the appellant was responsible for all University computer systems plus programming, directly supervising two people.

6. Appellant reports to the director of Information Systems and Computing Services and works under general supervision.

7. The University of Wisconsin-Eau Claire, with about 10,600 students, is slightly larger than UW-Oshkosh and UW-Whitewater, making it the largest unit in the University of Wisconsin System outside of Madison and Milwaukee. See Respondent's Exhibit 13.

8. In denying appellant's reallocation appeal, respondent relied on information contained in Position Standards for the Management Information Supervisor-Management series. The relevant portions of these standards for Management Information Supervisor 5 and 6 are as follows:

MANAGEMENT INFORMATION SUPERVISOR 5 and MANAGEMENT INFORMATION SUPERVISOR 5 - MANAGEMENT (PRI-16)

Applications Development

Positions allocated to this class will supervise a medium organizational unit or section of 8-15 full-time equivalent systems analysts and/or analyst/programmers engaged in performing a full range of systems analysis functions which should include several projects of a complex nature. Objectives, priorities and deadlines are normally established by the section supervisor, but the review of the technical soundness of decisions made by these positions is limited.

Technical Support

Positions allocated to this class will function as either:

1) The supervisor of a section of specialists who are performing a full range of technical support functions in support of a medium computer system as characterized at the Management Information Supervisor 1 level. Positions at this level have considerable discretion in establishing objectives, priorities and deadlines under the general administrative review of the manager of the data processing operation.

2) The supervisor of a unit of specialists within a section who are performing specialized technical support functions in support of a large computer system as characterized at the Management Information Supervisor 2 level. Objectives, priorities and deadlines are normally established by the technical supervisor, but the review of the technical soundness of decisions made by these positions is limited.

Office Systems

Positions allocated to this class will supervise an organizational section of 8-15 full-time equivalent office systems analysts engaged in performing a full range of office systems functions which should include several projects of a complex nature. Positions at this level have considerable discretion in establishing objectives, priorities and deadlines under the general administrative review of the manager of the data processing operation.

Production

Positions allocated to this class will supervise a production section or unit that includes a large computer system as identified at the Management Information Supervisor 2 level plus data control and data entry entities. Positions at this level have considerable discretion in establishing objectives, priorities, and deadlines under the general administrative review of the manager of the data processing operation.

Computer Operations

Positions allocated to this class will function as the supervisor of a computer operation containing a major computer system as identified at the Management Information Supervisor 3 level. Overall operations objectives, priorities, and deadlines are normally established by the production supervisor, but the review of the technical soundness of decisions made by these positions is limited.

MANAGEMENT INFORMATION SUPERVISOR 6 and MANAGEMENT INFORMATION SUPERVISOR 6 - MANAGEMENT (PR1-17)

Applications Development

Positions allocated to this class are responsible for supervising a large section of 15-35 full-time equivalent systems analysts and/or analyst/programmers engaged in performing a full range of complex systems analysis functions which normally would include projects of both a complex and very complex nature. Positions at this level have considerable discretion in establishing objectives, priorities and deadlines under the general administrative review of the manager of the data processing operation.

Technical Support

Positions allocated to this class will function as either:

- 1) The supervisor of a section of specialists who are performing a full range of technical support specialist functions in support of a large computer system as characterized at the Management Information Supervisor 2 level. Positions at this level have considerable discretion in establishing objectives, priorities and deadlines under the general administrative review of the manager of the data processing operation.
- 2) The supervisor of a unit of specialists who are performing specialized technical support functions in support of a major computer system as characterized at the Management Information Supervisor 3 level. Objectives, priorities and deadlines are normally established by the technical supervisor, but the review of the technical soundness of decisions made by these positions is limited.

Office Systems

Positions allocated to this class are responsible for supervising a section of 15-35 full-time equivalent office systems analysts engaged in performing a full range of complex office systems analysis functions which normally would include projects of both a complex and very complex nature. Positions at this level have considerable discretion in establishing objectives, priorities, and deadlines under the general administrative review of the manager of the data processing operation.

Production

Positions allocated to this class will supervise a production section that includes a major computer system as identified at the Management Information Supervisor 3 level plus data control and data entry entities. Positions at this level have considerable discretion in establishing objectives, priorities and deadlines under the general administrative review of the manager of the data processing operation.

See Respondent's Exhibit 4.

9. The duties and responsibilities of appellant's position are better described by the class specifications for Management Information Supervisor 5 than by the class specifications for Management Information Supervisor 6.

CONCLUSIONS OF LAW

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

2. The appellant has the burden of proving that the respondent's reallocation of appellant's position from Management Information Supervisor 3 (PR1-14) to Management Information Supervisor 5 (PR1-16) was not correct.

3. The appellant failed to sustain that burden.

4. The respondent's denial of the request by appellant for reallocating his position to Management Information Supervisor 6 (PR1-17) was correct.

OPINION

This appeal was originally filed as part of a joint appeal by appellant with similar appeals by his supervisor, Rudolph C. Polenz, Director of Information Systems and Computing Services at the University of Wisconsin-Eau Claire and by Paul Diedrich, Manager of Administrative Programming.

Mr. Polenz originally requested that he be reallocated from Management Information Manager 2 (PR1-17) to Management Information Manager 3 (PR1-18) but subsequently withdrew his appeal. Mr. Diedrich's appeal of his reallocation was granted by respondent following an audit of his position and he was reallocated from Management Information Supervisor 2 (PR1-13) to Management Information Supervisor 5 (PR1-16), instead of Management Information Supervisor 4 (PR1-15).

Subsequent to appellant's appeal, his position was also audited by respondent. The audit determined that the scope and complexity of appellant's position did not indicate a higher pay level than PR1-16 and that other comparable positions at other campuses and state agencies were in the same pay range.

The audit also determined that "even if Mr. Polenz's position were identified at PRL-18, past classification practice and theory would indicate that the only way Mr. Staff's position could be identified at PRL-17 is if it were identified as a full-time deputy within the organization with line authority over all areas of the operation. Such is not the case with Mr. Staff's position functioning more as an 'assistant to' than 'deputy.'" See Respondent's Exhibit 1.

Respondent also offered as evidence to support its reallocation decision position descriptions for Harvey E. Fossen, assistant director of Administrative Computing at the University of Wisconsin-La Crosse, (See Respondent's Exhibit 8), and for John A. Nierengarden, assistant director of Academic Computing at UW-La Crosse, both of whom are classified as Management Information Supervisor 5.

Appellant offered the position description of William F. Meyer, area manager - accounting area at the University of Wisconsin-Madison Administrative Data Processing Center who is classified as a Management Information Supervisor 6. (See Appellant's Exhibit 12.) However, respondent pointed out through the testimony of Lee Isaacson, a classification specialist for the Division of Personnel, that Mr. Meyer's position could not be compared to appellant's position because of the different nature of their respective responsibilities, the fact that the UW-Madison campus is four times the size of Eau Claire, and the fact that Mr. Meyer directly supervises nine persons.

Appellant argued that he will be supervising Mr. Diedrich, who is at the same classification and pay level, unless he is reallocated to Management Information Supervisor 6. Respondent admits that this situation is somewhat unusual, but pointed out that Mr. Diedrich's high level of technical expertise would make it unfair not to reallocate him to the Management Information

Supervisor 5 level. It should also be pointed out that if appellant's appeal was granted, he would be at the same classification and pay level of his supervisor, Mr. Polenz.

The duties and responsibilities of appellant's position fit within the definition section of Management Information Supervisor 5 position standard, that is, supervising "a medium organizational unit" as compared to supervising "a large section of 15-35 full-time equivalent systems analysts and/or analyst/programmers" as described in the position standard for Management Information Supervisor 6.

ORDER

The respondent's action in reallocating appellant from Management Information Supervisor 3 to Management Information Supervisor 5 is affirmed and this appeal is dismissed.

Dated Nov. 4, 1980

STATE PERSONNEL COMMISSION

Parties:

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Charlotte M. Higbee
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(abstain)

Donald R. Murphy
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Gordon H. Bréhm
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