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VERNICE KIRKEENG,  
 Appellant,  
 v.  
 Administrator, DIVISION OF  
 PERSONNEL,  
 Respondent.  
 Case No. 79-PC-CS-531

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DECISION  
 AND  
 ORDER

This is an appeal by appellant, Vernice Kirkeeng, of a decision by the Administrator, Division of Personnel to reallocate her position from Typist II to Typist. The following is based upon all the evidence presented at the hearing.

FINDINGS OF FACT

1. At all times material, appellant was employed by the Department of Health and Social Services (DHSS) in a state classified civil service position and had obtained permanent status.
2. As part of a statewide clerical survey, respondent reallocated appellant's position from Typist II to Typist. Within thirty days of notice of reallocation, appellant filed an appeal of respondent's decision to the Personnel Commission and in a subsequent amendment to her appeal, appellant alleged that Program Assistant 2 or Secretary 1 was the correct classification for her position.
3. The following is the description of a Typist position in the state position standards.

"this is full performance level clerical work of moderate difficulty in completing a variety of assigned clerical and typing tasks. Positions allocated to this class perform typing duties requiring

typing proficiency at least 25% of the time. Typing projects require independent consideration of format, grammar, spelling, and use of unique or specialized terminology. Positions performing stenographic duties are also identified at this level. Work is performed under general supervision."

4. A Program Assistant 2 position is described in the state position standards as follows:

"this is work of moderate difficulty providing program support assistance to supervisory, professional or administrative staff. Positions are allocated to this class on the basis of the degree of programmatic involvement, delegated authority to act on behalf of the program head, level and degree of independence exercised, and scope and impact of decisions involved. Positions allocated to this level are distinguished from the Program Assistant 1 level based on the following criteria: (1) the defined program area for which this level is accountable is greater in scope and complexity; (2) the impact of decisions made at this level is greater in terms of the scope of the policies and procedures that are affected; (3) the nature of the program area presents differing situations requiring a search for solutions from a variety of alternatives; and (4) the procedures and precedents which govern the program area are somewhat diversified rather than clearly established. Work is performed under general supervision."

5. The description of a Secretary 1 position in the state position standards is as follows:

"This is office assistance work of moderate difficulty in providing personal secretarial services to a professional, educator, or administrator. Positions allocated to this class perform a variety of secretarial duties, including: taking, transcribing and typing dictation; making arrangements for meetings or travel; screening and distributing mail; drafting general correspondence; taking minutes at meetings; maintaining simple financial records; ordering supplies and equipment; composing correspondence; and keeping time reports a majority of the time. Work is performed under general supervision."

6. Appellant works in the La Crosse, Wisconsin field office of the Division of Vocational Rehabilitation (DVR), DHSS. This unit consists of an office supervisor, twelve staff members, a clerical supervisor and four clerical employees.

7. The appellant works in one of the clerical positions in the DVR unit. Her primary responsibilities are to register and develop client case files, 25%; maintain and continue clerical processing of client files, 20%; and act as receptionist, typist and file clerk, 40%.

8., Appellant's duties fall squarely within the state position standard description of Typist and that classification is the most appropriate for appellant's position.

#### CONCLUSIONS OF LAW

1. This matter is appropriately before the Personnel Commission.
2. Appellant has the burden of proving that respondent's decision was incorrect, and that her position should have been classified at the Program Assistant 2 or Secretary 1 level.
3. Appellant failed to meet that burden of proof.
4. Respondent's reallocation decision was correct.

#### OPINION

Appellant contends that the Secretary 1 classification level most accurately describes her position. While appellant's duties may parallel to some extent <sup>FN</sup> those of a Secretary 1, this Commission has previously noted that such may be the case in many instances of classification. However, a position is not entitled to reclassification solely because some aspects of

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<sup>FN</sup> This phrase ("to some extent") was added to the proposed decision by the Commission following consultation with the examiner to better reflect the record.

work fall within the higher class. Kailin v. Weaver and Wettengal, 73-124 (11-28-75). The evidence in the instant case shows that the Secretary 1 allocation pattern in DHSS consists of personal secretaries to management personnel, usually at the division level; and persons who represent the office and its executive officer with respect to internal operations. The evidence clearly shows that appellant's position is not in this group.

The thrust of many of appellant's arguments centered upon her agitation and concern about the compression of ranges within the clerical series and lack of potential in-class monetary increases for long term employees. These issues are not before the Commission nor does the Commission have authority to consider them.



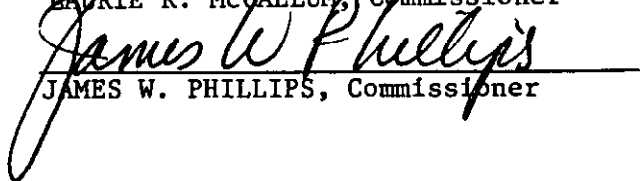
Based upon the reasons previously expressed and the evidentiary record this matter should be dismissed.

ORDER

The respondent's reallocation decision is affirmed and the appeal of Ms. Kirkeeng is dismissed.

Dated: December 8, 1982

STATE PERSONNEL COMMISSION

  
DONALD R. MURPHY, Chairperson  
  
LAURIE R. McCALLUM, Commissioner  
  
JAMES W. PHILLIPS, Commissioner

DRM:ers

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