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 \*  
 NANCY DARNELL, \*  
 \*  
 Appellant, \*  
 \*  
 v. \*  
 \*  
 Administrator, DIVISION OF \*  
 PERSONNEL, \*  
 \*  
 Respondent. \*  
 \*  
 Case No. 79-PC-CS-225 \*  
 \*  
 \* \* \* \* \*

DECISION  
 AND  
 ORDER

NATURE OF THE CASE

This matter is before the Commission on the question of whether or not the position held by appellant was correctly reallocated. The following is the examiner's findings of fact and conclusions of law based upon an evidentiary hearing.

FINDINGS OF FACT

1. For approximately 2½ years respondent, Division of Personnel, engaged in a statewide classified civil service clerical position survey, which concluded August 26, 1979. At the time of the survey, appellant, Nancy Darnell, was employed as an Account Examiner 3, Bureau of Collections, Division of Management Services, Department of Health and Social Services. During the course of the survey, appellant's position was audited and reallocated to Fiscal Clerk 3, effective August 26, 1979. Appellant timely appealed her reallocation to the Commission. Appellant alleges that she should be classified as a Program Assistant 3.

2. When audited during the survey, appellant, a lead worker, was assigned tasks as follows:

A. Proration of all collections received by the Bureau of Collections.

B. Reconciliation on a quarterly or yearly basis of net monies received to control data.

C. Calculation of data for billings to parents for care of children whose legal custody has been transferred to DHSS under Chapter 48.

D. Preparation of adjustments to county bills pursuant to certain provisions of law, and certain other specified billings as required.

E. Assistance in performing other office functions.

Over 50% of appellant's tasks were fiscal responsibilities. Appellant spent 25-40% of her time at the task of prorating collections. Another 25% of her time was spent calculating data for billings to parents of children whose custody has been transferred to DHSS.

3. The Fiscal Clerk series emphasizes positions performing clerical duties of a fiscal nature. Positions in this series perform such tasks as examining fiscal documents, keeping fiscal and account records, cash receipts and disbursements, tabulation and operation of bookkeeping machines. A Fiscal Clerk 3 may be a lead worker doing advanced work of moderate difficulty of a clerical fiscal nature.

4. Program Assistant positions have responsibilities which include carrying out complete segments of program functions. These positions typically have the function of coordinator for an event or activity which is an integral part of a particular program. Decision-making within these positions is based upon careful discerning judgement. Normally there is no standardized answer.

5. The appellant's position is best described by the Fiscal Clerk Position Standard and her duties best fit the Fiscal Clerk 3 position.

CONCLUSIONS OF LAW

1. The Commission has authority to hear and decide the matter before it under s.230.44(1)(a), Wis. Stats., (1977).

2. Appellant has the burden to prove the administrator's decision to reallocate appellant to Fiscal Clerk 3 instead of Program Assistant 1 was incorrect.

3. Appellant has failed to meet the burden of proof.

4. The administrator's decision to reallocate appellant's position from Account Examiner 3 to Fiscal Clerk 3 was correct.

OPINION

The appellant spends over 50% of time performing specific tasks prorating collections, reconciling balances, calculating data for billings and preparing adjustments for bills. Decision-making, generic in nature, may constitute 10% of appellant's time.

In contrast the Program Assistant classification is identified by positions whose prime purpose is to support or otherwise enhance a given program. In such positions the majority of time is devoted to administration and coordination of program activities rather than the actual performance of clerical tasks. In addition these positions are delegated authority to make discretionary non-standardized decisions as necessary to aid and benefit the program. It is the examiner's belief that appellant, unlike a program assistant, primarily performs duties of a clerical fiscal nature and is properly classified as a Fiscal Clerk 3.

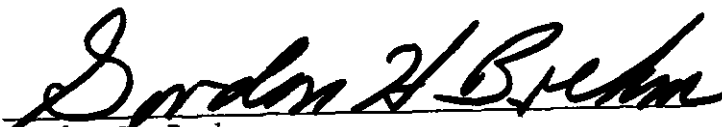
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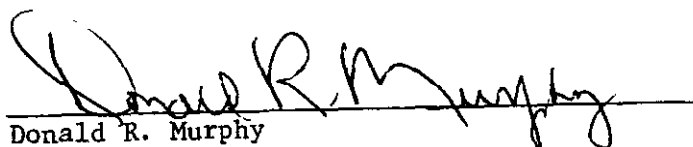
ORDER

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

Dated June 3, 1981

STATE PERSONNEL COMMISSION

  
Gordon H. Brehm  
Chairperson

  
Donald R. Murphy  
Commissioner

DRM:mgd

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