v.

Appellant,

Administrator, DIVISION OF PERSONNEL,

Respondent.



DECISION AND ORDER

NATURE OF THE CASE

This matter is before the State Personnel Commission pursuant to s.230.44(1)(a), Stats. The appellant alleges an incorrect reallocation of her position by the respondent to that of a Typist instead of a Program Assistant I. Following hearing, presentation of documentary evidence and testimony, the Hearing Examiner, in accordance with s.227.10, Stats., does determine the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

- 1. The appellant, Pauline Lena Marty, has been employed as a Typist by the Department of Health and Social Services, (DHSS), Bureau of Community Corrections for two and a half years.
- 2. The position held by the appellant was audited during the state-wide clerical survey conducted by the respondent three or four years ending August 26, 1980.
- 3. Following the clerical survey, appellant's position was reallocated from Typist 3 (PR 2-05) to Typist (PR 2-05). The appellant appealed the reassignment of her position to this Commission on September 14, 1979.
- 4. At the time of reallocation, the appellant as the sole clerical person in her unit, was primarily responsible for the production of typed

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material and documents for unit 101, Madison Office, providing clerical support services to her unit supervisor (unit 103), and providing miscellaneous clerical support duties for unit 103, all of which are more specifically described in Appellant's Exhibit 1, and made a part of this finding.

- 5. Reallocation of the positon held by the appellant to Typist (PR 2-05) was based primarily upon the Typist Position Standards (Appellant's Ex. 9), developed during the clerical survey and approved by the State Personnel Board.
- 6. Positions in the Program Assistant 1 series may be identified by characteristics including accountability, know-how and problem solving. These positions are assigned duties where discretion and decision-making can not be standardized nor made the function of predetermined problems. (Appellant's Exhibit 10).
- 7. The appellant in performing the bulk of her duties is required to follow set, predetermined and accepted procedures. This job factor which is intrinsic, severely reduces any flexibility to make decisions, exercise discretion of impact upon programs and policy decisions.
- 8. The appellant's duties are better described by the Position Standards for a Typist (Appellant's Exhibit 9) than by the Position Standard for a Program Assistant I, (Appellant's Exhibit 10).

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OPINION

The appellant contends that at the time of the statewide clerical survey which precipitated the reallocation of her position on August 26, 1980, from a Typist 3 (PR 2-05) to Typist (PR 2-05), she was functioning at the level of a Program Assistant 1. There appears to be no dispute over the kind of duties performed by the appellant during the period of the survey. However, the explicit testimony of a state classification analyst was that the appellant was correctly classified as a Typist. In addition, this examiner was not convinced by appellant's statement that she felt she performed the same duties as Kathleen Chase Keller, a Program Assistant 1. For it is clear from the testimony that Ms. Keller, unlike the appellant, had the responsibility of being the central office coordinator for the state's interstate compact function. This included the responsibilities of receiving all out of state inquiries and communications, routing them to the regional compact coordinators -- which included appellant's supervisor -- answering questions from other states dealing with the technical aspects of interstate compact procedures, and participating in the development, revising and shaping of the procedures of the interstate compact program. While the appellant may have been involved in similar duties at the regional office, her tasks were not of the same degree, depth or level as required by Ms. Chase in the central office.

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CONCLUSIONS OF LAW

- 1. This Commission has jurisdiction of the matter at hand in accordance with s.230.44(1)(a), Stats. All steps required by law were taken by the appellant and the matter is properly before this Commission for final disposition.
- 2. The appellant has failed to meet the burden of proving that respondent's reallocation of the position held by her was not correct.
- 3. The respondent's reallocation of the position held by appellant from Typist 3 (PR 2-05) to Typist (PR 2-05) instead of a Program Assistant I was correct.

ORDER

The	responden	ıt's	action	is	affirmed	and	this	appea	al is	dismi	issed.
Dated	Dec.	8		_, 19	980		S	STATE	PERS	ONNEL	COMMISSION

PARTIES

Pauline Marty 818 W. Badger Rd. Suite 200 Madison, WI 53713

Charles Grapentine 149 East Wilson St. Madison, WI 53702 Charlotte M. Highee
Chairperson

Donald R. Murphy Commissioner

Gordon H. Brehm

Commissioner

DRM:mgd

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Paul Inc. Marty - Typist

Fig. Communicate new procedural requirements regarding classification system to clerical staff.

BS. Total and distribute Madison area Unit 103, to include Jefferson and Juneau' counties, monthly ledger summary.

250 C. Production of typed material and documents for Unit 101 Madison Office.

C1. Transcribe the following materials for probation and parole agents: Admission for estigations, Chronological Histories, Violation Reports, Inter-Department correspondence, letters, Apprehension Requests, Apprehension cancellations, Runni Records, Request for Release and Distribution of Funds, Disbursement Orders, Pre-Pirole Investigation. Sex Crimes Investigations, Pre-Sentence Investigations, Precommendation for Administrative Action, Travel Permits, Expense Sheets, Detention Requests, C-35's, Agreements with needed special conditions.

C2. Provide current forms (C-501) related to Purchase of Services from Urban League,

The House, Attic and other venuors for Unit 101 and 103.

(3) Type Affirmative Action Reports, Revocation Hearing Packets and route Legal Packeto Defense Attorneys and the Public Defender

(4) Act as backup person for clerical staff in Unit 101, Jefferson and Juneau offices

30% 1 Provision of clerical support services to Madison area Compact Specialist (Co. C)

10. Rederve and route all correspondence relating to cases transferring in-state or out-state.

D. Record new absignment or procedure being used for specific transactions.

Pl. Type and some case materials.

 Determine apprepriate forms and gather information on transaction(s) being initiated.

b. Type the following forms relating to transaction: C-66, Acknowledgement of C Transfer, C-54, Inter-State Transfer Request, C-75, Notice to Client Confirmi Transfer and C-74.

Useful Identify locations utilizing the inter-state compact directory and route mate to appropriate personnel.

d. Type Mister File Card and submit appropriate forms for Central Records to rec 0.5, case number for client in Wisconsin.

23 Paintain separate filing system for out-of-state and in-state cases.

b. rovide assistance in developing, revising and implementing procedures in out-ofareas in Unit 101; 102; and 103.

10% F Performance of miscellaneous elerical support duties.

il lile case materials and verox various documents.

12. Maintain index cards with appropriate information on all cases.

Splate caseload listing.

11 type and distribute master file cards of the original court orders and questional

1. At end courses and other training activities relevant to stated job responsibilit

get Stam, prepare act route mail.

17. Respond to agents, was students and interes regarding office procedure and forms.

I . Compile and distribute information required by Crime Information Bureau.

It. one of annual inventory and interim chances,

10% F Perturmance of receptionist daties.

of Greet and provide information to clients, veneral public, law enforcement official and outside agency staff.

Receive reports from clients in the abrence of agents. — 7

Schedule appointments for staff and clients.

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