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 *
 LILLIAN MANN, *
 *
 Appellant, *
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 v. *
 *
 Administrator, DIVISION OF *
 PERSONNEL, *
 *
 Respondent. *
 *
 Case No. 79-PC-CS-612 *
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OFFICIAL

DECISION AND ORDER

NATURE OF THE CASE

This matter is before the Commission on appeal, pursuant to s.230.44(1)(a), Wis. Stats., of a reallocation resulting from the August 26, 1979, Personnel Management Survey. Appellant alleges that at that time she should have been reallocated to a Personnel Assistant 2 (PR 1-09) instead of a Program Assistant 3 - Confidential (PR 1-08). Hearing was held on September 2, 1980, testimony was taken and documentary evidence was presented. No post-hearing briefs were filed. In accordance with s.227.10, Wis. Stats., the Hearing Examiner does make the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. The appellant, Lillian Mann, had been a state employe with the Department of Natural Resources, (DNR), since 1956. She started as a Stenographer 1 and later held several clerical and supervisory positions until 1969 when she became an Administrative Assistant 1.

2. Since 1978, appellant's duties have become focused more specifically on functions described in her position description dated July 9, 1979, (Appellant's Exhibit 1), and summarized as follows:

- 1) Forty-five percent of appellant's time is spent in personnel related matters including dispensing personnel information, advising and assisting district employes,

receiving candidates for employment, discussing procedures, eligibility and opportunities for employment, conducting new employe orientation training sessions, and administer the seasonal Natural Resources Assistant 1 position.

2) Forty-five percent of her time is used preparing forms for payroll, maintaining employe leave information, auditing employe time reports, auditing employe expense vouchers, and maintaining district employe records.

3. At some time prior to August, 1979, the respondent, Administrator of the Division of Personnel, reviewed appellant's position as described in finding two, during the course of a Personnel Management Survey. On August 26, 1979, the respondent reallocated appellant's position from the class title of Administrative Assistant 1-Confidential (PR 1-08), to Program Assistant 3-Confidential (PR 1-08).

4. Positions at the Personnel Assistant 2 level are responsible for:

"1) a major program area such as delegated examination and recruitment in a large, centralized personnel office; 2) a variety of program areas such as clerical employment, payroll liaison, examination coordination, and fringe benefit counseling in a fully operational decentralized personnel office; 3) a wide variety of program activities as the principal assistant to the professional in charge of a personnel program for a small department or a major organizational subunit; 4) the total personnel program within an organizational subunit including the coordination and performance of all personnel-related activities; or 5) independent administrative support responsibilities in a specialized program area(s) in the State Division of Personnel. The work involves significant independent decision-making in connection with the application of laws, rules, regulations, and procedural guidelines; the development of internal procedures; the dissemination and interpretation of information relating to personnel policies and procedures; the coordination of a wide variety of program activities, and contacts with a central personnel office, the State Division of Personnel, employes, and the public. The work at this level typically involves more independent and complex program responsibilities than those of a Personnel Assistant 1 and is performed in accordance with established guidelines with significant involvement in the development of operating policies and procedures in the area(s) of program responsibility and in other program areas. Work is performed under direction." State of Wisconsin, Personnel Assistant, Position Standards, (Respondent's Exhibit 2).

5. The appellant, at the time of the Personnel Management Survey, worked in the northwest District Office of DNR, Spooner, Wisconsin and reported to the Supervisor of Services. The particular position involved composite functions including personnel related matters, payroll and record-keeping responsibilities. The level of responsibility is that of an assistant to a person who has a variety of service programs, including personnel, in a satellite office.

6. Appellant's position, at the time of the August, 1979, Personnel Management Survey, did not demonstrate the organizational level nor classification standards required of a Personnel Assistant 2 position.

CONCLUSIONS OF LAW

1. This appeal is properly before this Commission pursuant to s. 230.44(1)(a), Wis. Stats.

2. The burden of proof is on the appellant to establish that respondent's decision to reallocate her position from Administrative Assistant 1-Confidential to Program Assistant 3-Confidential, instead of Personnel Assistant 2, was incorrect.

3. The appellant has failed to satisfy that burden.

4. The respondent's reallocation of appellant's position to a Program Assistant 3-Confidential was correct.

OPINION

The unequivocal evidence supports the position that appellant's duties model very closely those of a Personnel Assistant, but structurally the position lacks the specificity and independence required of a Personnel Assistant. The appellant is employed in a satellite office, of a state agency, which has certain accessory administrative services. Her duties require that she function

in a variety of management connected jobs. She must be knowledgeable in areas of personnel, payroll, record-keeping, and other related managerial proceedings. It is this non-specific, tangential nature of her work that necessitates classifying it as a Program Assistant position.

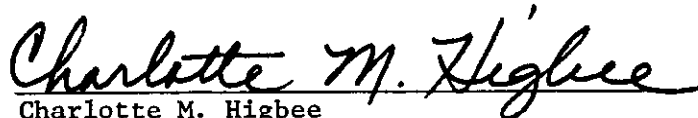
The level of the position is determined by its interdependence with the agency's central personnel office. The dependent nature of the position places it at the three level.

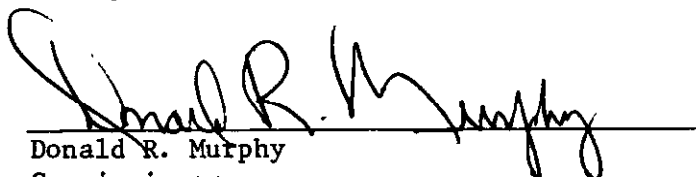
ORDER


Respondent's reallocation decision is affirmed, and appellant's appeal is dismissed.

Dated Nov. 24, 1980

STATE PERSONNEL COMMISSION


Charlotte M. Higbee
Chairperson


Donald R. Murphy
Commissioner


Gordon H. Brehm
Commissioner

DRM:mgd

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