

STATE OF WISCONSIN

PERSONNEL COMMISSION

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JOHN A. PAULSON,  
 Appellant,

v.

Administrator, DIVISION OF  
 PERSONNEL,  
 Respondent.

Case No. 80-257-PC

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DECISION  
 AND  
 ORDER

NATURE OF THE CASE

This is an appeal of a decision of the administrator of the Division of Personnel to deny reclassification of appellant's position from Architect 5 to Architect 6. A hearing on the merits was conducted by a hearing examiner appointed by the Commission.

FINDINGS OF FACT

1. Appellant is and has been at all relevant times an Architect 5 with the working title of remodeling architect, reporting to the Associate Director of planning and construction of the Madison campus of the University of Wisconsin. The position is included in the classified civil service.

2. Mr. Paulson's duties and responsibilities include supervising two staff architects, one engineer, one drafter and several student employes in the preparation of working drawings and specifications for remodeling and minor new construction projects on the UW-Madison campus; providing consulting services in the form of preparation of cost estimates, and preliminary drawings and specifications for potential future remodeling projects; maintaining records of projects carried out; participating in a faculty committee to produce the UW-Madison remodeling and minor construction program, in-

cluding providing project reports and recommendations of campus-wide project priorities; working with Department of Administration on projects performed on the basis of delegated authority by outside bids; providing project approvals and consulting expertise on other campus projects as requested.

3. Appellant supervises approximately one to one-and-a-half million dollars of minor construction projects in a year. A minor project is one funded at less than \$250,000.

4. The majority of appellant's work involves remodelling rather than new construction.

5. The complexity of a particular project is not necessarily related to its cost, but rather is a function of the nature of the user's needs and the problem-solving skill required to accommodate those needs.

6. Approximately 50% of appellant's work is related to research projects carried out on the Madison campus which require sophisticated and complex solutions to new technical problems.

7. Appellant's position is responsible for projects of considerable complexity.

8. Appellant supervises and reviews the work of professional staff in production of working drawings, specifications and construction drawings relating to structural, electrical and mechanical aspects of projects as well as the architectural aspects. He supervises a project from the planning stages through actual construction and reporting requirements mandated by State statutes.

9. While appellant is involved with work of considerable complexity, the work is not usually also of considerable size, nor is it usually major remodelling with respect to the cost of the project.

10. Appellant prepares project evaluations and presents them to his supervisor, Mr. Gordon D. Orr, Madison campus architect who prepares a presentation of campus-wide priorities, requested by the various colleges and presents this to the campus governance body for approval.

11. Employees whose positions are assigned to the Architect 5 classification:

"...supervise a staff of architects in the preparation of plans and specifications for projects of considerable size and complexity; or function as a principal architect with program responsibility for the planning and review of plans and cost estimates on major remodeling projects and/or new construction projects of considerable size and complexity in a small to medium sized state agency."  
(Respondent's Exhibit 4)

12. Employees whose positions are assigned to the Architect 6 classification:

"...[are] responsible for performing complex and varied architectural work in the design of new buildings and structures or improvements and additions to existing buildings. Employees prepare detail plans and specifications for complex buildings; or review completed architectural plans and working drawings submitted by project architects or engineers for approval. Work in this class is distinguished from that in lower classes by the advanced professional architectural work in a specialized area or in planning, technical guidance and counsel on all phases of architectural services." (Respondent's Exhibit 5)

13. The Architect 5 and 6 classifications differ in that the 5 level is focussed on either the supervision of professional staff on projects of considerable size and complexity or functions as a principal architect of major remodelling and/or new construction projects of considerable size

and complexity, while the 6 level performs either in a specialized area or in providing planning technical guidance and counsel in all phases of architectural services.

14. Appellant's duties compare closely to the duties of Elizabeth Ranney, Architect 5 with the Department of Administration, Bureau of Facilities Management in terms of the scope of their duties with respect to individual projects, from the planning stage, through the drawings and including supervision of construction. Both positions include coordination of architectural, structural, mechanical and electrical elements, some general consulting work on potential future projects.

15. Appellant's position has lesser program and planning responsibility than the positions of Mr. Donald Knudson and Mr. Fred Wegener, both Architects 6. Mr. Knudson is responsible for development and implementation of project guidelines for all Wisconsin Vocational, Technical and Adult Education institution facilities. Mr. Wegener is responsible for development and implementation of projects for construction of new Madison State office facilities, including the bidding process and going through administration of design and construction contracts; he is also responsible for administration of leased State office space projects, including remodelling.

16. The work performed by appellant is best identified at the Architect 5 level.

#### CONCLUSIONS OF LAW

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

2. The burden of proof is on appellant to show to a reasonable certainty by the greater weight of credible evidence that the respondent incorrectly denied reclassification of his position to Architect 6.

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

4. The decision of the respondent to deny reclassification was correct.

#### OPINION

The appropriate classification of appellant's position must be determined by applying appropriate classification factors as set out in class descriptions and by examining the respondent's own interpretation of the factors as applied to positions classified in the relevant levels. In this case, respondent presented class descriptions for Architect 5 and 6 levels and position descriptions of duties which respondent offered as properly classified at the 5 and 6 levels.

Appellant's duties most closely compared to the duties of Elizabeth Ranney, Architect 5 in the Bureau of Facilities Management of the Department of Administration. Although the duties are not identical, the levels of responsibility and the nature of the work performed are substantially similar. The duties of both Mr. Paulson's and Ms. Ranney's positions are reflected in the examples of work performed set forth in the Architect 5 class description. While the examples of work performed in the Architect 6 class description are very similar, the basic difference in the 5 and 6 levels is in terms of the size of projects and in the scope of program responsibility of the work performed. Ms. Ranney's projects may be larger

in terms of costs than are Mr. Paulson's projects, but the number of projects undertaken by Mr. Paulson balances favorably in comparison to the cost of the projects under Ms. Ranney.

The significant difference between Mr. Paulson's duties and the duties of Mr. Knudson and Mr. Wegener, both classified at Architect 6, are in the size of projects and the nature of program services provided by Messrs. Knudson and Wegener. The responsibilities of these positions are at a higher classification level than appellant's responsibilities. By comparison, appellant is properly classified at the Architect 5 level.

ORDER

The action of the respondent is affirmed and this appeal is dismissed.

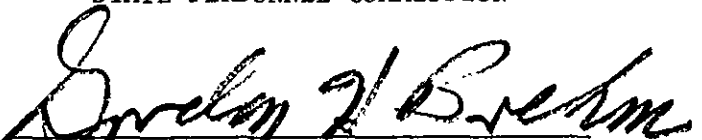
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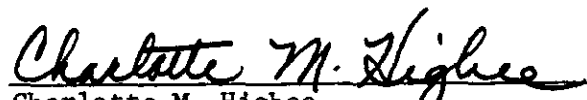
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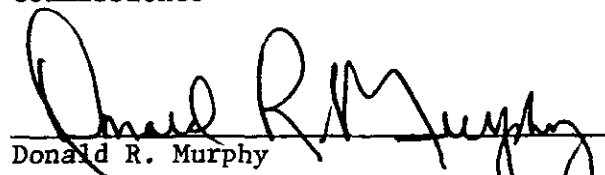
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