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 ARLENE KIRCHESH,
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 Appellant,
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 v.
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 Administrator, DIVISION OF
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 PERSONNEL,
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 Respondent.
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 Case No. 80-356-PC
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DECISION
 AND
 ORDER

This is an appeal of the administrator's decision to reallocate appellant's position from Program Assistant 3 - Confidential to Payroll and Benefits Assistant 4 - Confidential instead of Administrative Assistant 3 Confidential.

FINDINGS OF FACT

1. At all times relevant to this matter the appellant, Arlene Kirchesh, was employed by the Division of State Patrol, Department of Transportation (DOT) in a permanent classified civil service position. Prior to August 26, 1979, appellant's position was classified as Administrative Assistant 2 - Confidential (PR1-09). As a result of a state-wide clerical survey by the respondent, Division of Personnel, appellant's position was reallocated, effective August 26, 1979, to Program Assistant 3 - Confidential (PR1-08).

2. In October, 1979, appellant submitted a request to her unit's personnel office for reclassification of her position to Administrative Assistant 3 - Confidential (PR1-11). Appellant's personnel office submitted the non-delegated action to the respondent, but requested a reclassification of appellant's position to Payroll and Benefits Assistant 5 - Confidential (PR1-10).

3. The respondent reviewed appellant's position and determined its proper classification to be at the Payroll and Benefits Assistant 4 - Confidential (PR1-09) level. The respondent also determined that the position was operating at the Payroll and Benefits Assistant 4 - Confidential level at the time of the clerical survey and reallocated the position to that level effective August 26, 1979.

4. Appellant filed a timely appeal with the Commission. At the prehearing, respondent agreed upon receipt of an updated position description to again review appellant's position. The appellant submitted an updated position description and respondent reviewed the position, including a desk and field audit. Afterwards, respondent confirmed his earlier decision.

5. Since 1978, appellant has provided payroll, fringe benefits and personnel services for the Division of Enforcement, DOT, which includes four bureaus, seven districts, a patrol academy and approximately six hundred employees. She also presents training programs, prepares technical and statistical reports relative to payroll, fringe benefits, personnel and affirmative action, and authors certain related correspondence for various administrative heads.

6. The classification specifications for positions in the Administrative series are general. They include a variety of work situations in various occupational fields. Work at the Administrative 3 level is characterized as "work of more than ordinary difficulty and responsibility requiring the exercise of a considerable amount of individual initiative judgment in directing the business management of a division engaged in a comprehensive non-professional program or activity." In contrast, the

Payroll and Benefits Assistant - Confidential series includes all positions performing duties within a wide range of detailed payroll work such as calculating, reporting, controlling, consulting, reconciling and related accounting or statistical monitoring. Payroll and Benefits Assistant 4 - Confidential positions specifically encompass positions responsible for payroll and fringe benefits activities of considerable difficulty in a medium sized institution or comparable unit and may include some personnel duties.

7. The majority of appellants duties involve payroll or payroll related functions. She works in a unit comparable to a medium sized institution. Her position compares most favorably with Payroll and Benefits Assistant 4 - Confidential.

CONCLUSIONS OF LAW

1. The Personnel Commission has jurisdiction over this appeal pursuant to §230.44(1)(a), stats.

2. The appellant has the burden of proving to a reasonable certainty by the greater weight of credible evidence that her position should not have been reallocated to Payroll and Benefits Assistant 4 - Confidential but instead to Administrative Assistant 3.

3. The appellant failed to meet the previously described burden of proof.

4. Appellant's position is more properly classified as Payroll and Benefits Assistant 4 - Confidential.

OPINION

The appellant is employed in the Division of Enforcement, Department of Transportation which compares favorably to a medium-sized institution. The majority of appellant's work responsibilities include payroll functions. These responsibilities are identifiable in the Payroll and Benefits Assistant series which denotes a specific occupational endeavor. The Administrative Assistant series is a non-specific generic classification. Position Descriptions of Administrative Assistant 3 positions presented on behalf of the appellant clearly show more diverse program areas than appellant's. Incumbents of these positions, unlike appellant, divide their time more evenly between payroll functions and other activities including supply inventory, purchasing, fleet management, insurance district mail programs and space requirements.

For the reasons stated and based upon the evidence present, it is the opinion of the Commission that appellant is properly classified as a Payroll and Benefits Assistant 4 - Confidential.

ORDER

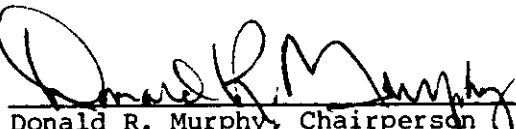
It is hereby ordered that respondent's decision be affirmed and this appeal dismissed.

Dated: Feb 18, 1982 STATE PERSONNEL COMMISSION

Parties:

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Donald R. Murphy, Chairperson


LAURIE R. McCALLUM, Commissioner


JAMES W. PHILLIPS, Commissioner