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 JANET MONK,
 Appellant,
 v.
 Administrator, DIVISION OF
 PERSONNEL,
 Respondent.
 Case No. 81-0118-PC
 * * * * *

DECISION
 AND
 ORDER

This case is before the Commission as an appeal of a reallocation decision. It is one of a group of cases filed as a consequence of a classification survey. This case was effectively held in abeyance until a final decision was rendered in the related case of Radovich v. DP, Case No. 81-117-PC. Proceedings before the Dane County Circuit Court were concluded in that matter in October of 1984. The parties agreed to the following issue for hearing:

Whether the respondent's decision to reallocate the appellant's position from Library Associate to Library Associate 2 was correct or whether the appellant's position was more appropriately classified at the Librarian 1 level.

FINDINGS OF FACT

1. The appellant has been employed at the University of Wisconsin Memorial Library since 1972. She has received a masters degree in Library Science from the UW-Madison and has reading fluency in the Spanish and Portuguese languages. She also has a more limited expertise in the Catalan, French, Basque, German, Danish, Swedish, Norwegian, Finnish, Italian, Dutch, and Afrikaans languages.

2. At all times relevant to the proceeding, the appellant has been employed within the Acquisitions Department of the Memorial Library. The Acquisitions Department is responsible for ordering and receiving books for the Memorial Library and for approximately 15 other member libraries in the General Library System of the UW-Madison campus.

3. The appellant has two immediate supervisors, Ms. Lois Thies and Ms. Carol Schlatter, both of whom are librarians in academic staff positions (i.e. outside of the classified civil service). Ms. Thies is responsible for processing book orders up to the time of their receipt while Ms. Schlatter is responsible for the handling/processing of the books from the time they are received until the time they are sent on to the next department.

4. The appellant has two primary responsibilities: 1) searching acquisition requests to see whether the library already owns the book or if it is already on order, and 2) reviewing books as they are received. The second responsibility is divided between books received on "firm orders", i.e. where an order for a specific book is generated, and those books received pursuant to a "blanket order", i.e. a contract between the library and a vendor under which the vendor chooses books for the library and sends them in "on approval."

5. Appellant's duties are described on her position description, a copy of which is attached hereto and incorporated by reference as if fully set forth as part of this finding.

6. The position standard for the Library Associate 2 classification provides, in part:

Definition:

This is full performance level library work of a highly specialized nature in a state agency, university

campus or state institution library. Positions allocated to this level function at the full performance level with responsibility for performing a technical library function of considerable difficulty such as cataloging or acquisitions in a specialized area such as a language, social or physical science. Work at this level is performed under the general supervision of higher level professional library personnel.

• Examples of Work Performed:

Performs functions found at the Library Associate 1 level, and in addition performs the following in a full performance level capacity:

Searches titles in Romanized and other non-Romanized languages for cataloging records in the library catalogs, LC printed catalogs, New Serial Titles, and other appropriate bibliographies.

Catalogs monographs or serials with less complete partial cataloging or contributed cataloging from the OCLC data base, National Union Catalog and foreign bibliographies.

Provides reference services which usually involves the use of a foreign language or knowledge of a specialized library collection.

Performs original cataloging of print and/or non-print material in a foreign language or a specialized collection.

Serves as a resource person for lower level staff in a language specialty and in more complex searching, cataloging questions and departmental routines.

Trains and revises the cataloging and searching of lower level staff.

7. The position standard for the Librarian series provides, in part:

I. INTRODUCTION

F. Glossary of Terms

All of the terms listed here may not be used in the position standard. However, for purposes of all-locating positions to this standard, commonly used terms are listed below:

* * *

ACQUISITION WORK - The process of securing materials for the library's collection. Materials can be secured by purchase, as gifts, or through exchange programs.

* * *

CATALOGING - The process of describing "a work" and assigning a call number. Includes determining the main entry, describing the work, and assigning added entries, subject entries, and a call number.

* * *

COLLECTION DEVELOPMENT - The process of identifying the strengths and weaknesses of a library's information resources with respect to patron needs and community resources, and of attempting to correct the weaknesses. It requires a continual examination and evaluation of the library's resources. Further, it requires a constant study of patron needs and changes in the community the library services.

* * *

INSTITUTION LIBRARY - A library located in a state institution such as Central Wisconsin Center, Green Bay Reformatory, or Wisconsin School for the Deaf.

* * *

PUBLIC SERVICES - Library work that deals with patrons and their use of the library collection, (i.e., circulation, and reference).

* * *

SELECTION - The process of deciding which information items to acquire for a library collection. It may involve decisions between items that provide information about the same subject; it may involve deciding whether the information contained in an item is worth the price; it may be a matter of deciding whether the item can stand up to the use it will receive. In essence, selection deals with decisions about quality and value.

* * *

TECHNICAL SERVICES - Work performed in or for a library to insure that materials are made available for patron use. This work usually does not require direct contact with library patrons. Includes acquisitions, cataloging, and materials preparation.

* * *

II. CLASS DESCRIPTIONS

The following class descriptions define the basic class concept for each classification level and use specific position allocations to elaborate on each concept. To

develop a full understanding of these class descriptions, they should be used in conjunction with the definitions provided under Section I.P. As previously mentioned, several different areas of specialization and position categories exist within this occupational area and it is recognized that this position standard cannot describe every eventuality or combination of duties and responsibilities. Therefore, these class descriptions are also intended to be used as a framework within which positions not specifically defined can be equitably allocated on class factor comparison basis with other positions which have been specifically allocated.

Librarian 1

PR13-02

This is professional library work in a state agency or state institution library. Positions allocated to this level function independently either as 1) a specialist, responsible for performing a wide range of library functions such as reference, collection development or cataloging within a specialized program or subject area; or 2) a generalist, performing a variety of professional library functions such as reference, circulation, and original cataloging. Positions may in addition function as leadworkers of lower level personnel. Positions allocated to this level function under limited supervision received from higher level professional library staff.

Representative Positions

Specialist - Health & Social Services -
Central Wisconsin Center

Identifies and selects a variety of materials dealing in one of a variety of different mental health subjects to be used by parents and community groups; produces materials in a particular area, including writing scripts, processing video tapes, and developing circular; classifying and cataloging a variety of materials; and providing reference services to community persons and agencies.

Generalist-Department of Justice

Responsible to a Librarian 2 - provides reference and research services; trains department staff in the use of an automated legal retrieval system; develops a documents collection; checks in new library materials; and prepares pamphlets and periodicals for binding.

8. Appellant processes at least 100 books per day that are received on a firm order. About 90% of the firm orders indicate the name of the

collection that is to receive the book. For the remaining 10%, the appellant sends the book on to the collection she feels is most appropriate.

9. The appellant regularly processes books received on approximately 11 blanket orders. The blanket order for books published in Spain states, in part, as follows:

I. General Information

Books to be supplied should include all original titles of a scholarly nature (including bibliographies) published in Spain (except in Barcelona and environs) in Spanish, concerning Spain, Portugal, Gibraltar, and Latin America, which meet the subject specifications listed below.

Specifically excluded are: serials (but note III.D. below), titles in numbered monographic series (but note III.D. below; also do include all publications in the various series of the Biblioteca Romanica Hispanica), translations into Spanish, offprints and separates, pamphlets, brochures, popular dictionaries, and primary- and secondary-school textbooks. University-level textbooks may be included if of real scholarly value.

II. Subject Specifications

A. Social sciences, to include:

History, political science, economics, geography, anthropology, education, sociology, archeology, ethnology, biography, psychology, agrarianism & agrarian reform, labor movements, industrialization, banking and finance, foreign trade, government policy and planning and census reports.

B. Humanities, to include:

Fiction, poetry, literary collections, literary criticism, literary history, drama, philosophy, religion, linguistics. Do not include any children's literature or detective fiction. Include only those works in philosophy and religion which deal with Hispanic life and thought; do not include those of a solely theoretical nature. Do not include any books on art.

III. Special Cases

- A. Please quote before sending any item costing more than US \$25 per volume.
- B. Please quote before sending reprints of earlier works.
- C. Please quote any items which you consider to have real value, but which do not fit any of the above subject specifications or which fit subjects normally excluded.
- D. Please send the first issue of each new scholarly periodical, journal serial, or numbered monographic series. Our Serials Department will notify you promptly of those to which we wish to subscribe.

* * *

V. Dollar Value authorized

The total amount of publications sold to the Memorial Library, University of Wisconsin, under this blanket order shall not exceed a total cost of \$2,500 between March 15 and June 30, 1982. This amount shall not be exceeded without written authorization. The amount to be assigned to this order for the year beginning July 1, 1982 will be communicated to you as soon after that date as possible.

The appellant was not provided with copies of one or two of the approximately 11 blanket orders.

10. The terms and limitations of the blanket orders are established by the library's bibliographers, not by the appellant. The analysis used in setting the blanket order requirements constitutes "collection development."

11. Some bibliographers want to see all of the books that come in on a blanket order while others do not.

12. The appellant culls about 20% of the books she processes on blanket orders. She sends about half of those back to the vendor and refers the other half to a bibliographer to make the final decision as to whether the book should be retained. Those books that the appellant does not cull are sent on to be catalogued.

13. In deciding whether to keep a book, appellant considers whether the book meets the requirements of the blanket order, whether the book is at an appropriate level (e.g., not juvenile literature) and whether it fits within the parameters of the existing collection and the possible needs of the library patrons. This responsibility is described as activity B2a in appellant's position description:

Determine if books meet guidelines for appropriate blanket order: (i.e., subject, date and place of publication, quality and cost), consulting with appropriate bibliographer as necessary.

14. Due to the specifications found in the blanket orders and the availability of the bibliographers for making final decisions as needed, the appellant does not "select" books for the library's collection. The appellant does not perform "collection development."

15. The appellant spends approximately 5% of her time responding to questions about the acquisitions process and providing what is essentially translation assistance to library patrons and staff. Some of the translation work may include explanation of how to use the public catalogs.

16. The appellant serves as a language specialist in the library function known as acquisitions. She does not perform (on a permanent basis) other professional library functions such as reference, cataloging, selection or collection development.

CONCLUSIONS OF LAW

1. This matter is appropriately before the Commission pursuant to §230.44(1)(a), Stats. (1981-82).

2. The appellant has the burden of proving that the respondent's decision reallocating her position to the Library Associate 2 classification is incorrect and that her position is more properly allocated to the Librarian 1 classification.

3. The appellant has failed to meet her burden of proof.

4. The respondent's decision to reallocate the appellant's position from Library Associate to Library Associate 2 was correct.

OPINION

The appellant seeks reversal of a decision reallocating her position to the Library Associate 2 level.

The Library Associate 2 and Librarian 1 classifications are both assigned to pay range 13-02. The distinction between these two classifications as applied to specialists (i.e. a person working within a specialized program or subject area such as math or a language) is that a Library Associate 2 performs one library function in his/her specialized area while Librarian 1 performs "a wide range" of functions (e.g., cataloging, reference, acquisitions) in regard to a specialized area. The classification specialist whose testimony was part of the record in this matter testified that the Librarian 1 classification would apply to the specialist performing "more than one" function.

It is agreed that the appellant, as a language specialist, has responsibilities in the technical function of acquisitions. The Librarian position standard defines acquisition work as "[t]he process of securing materials for the library's collection. Materials may be secured by purchase, as gifts, or through exchange programs." The question raised by this case is whether the appellant also has responsibilities that meet the definitions of selection, collection development and/or reference.

The appellant argues that her activities of reviewing materials received on approval, and referring materials to specific collections (e.g., reference, the music library, etc.) constitute collection development and/or selection.

For some blanket orders, the bibliographer (or selector) who is in charge of establishing the parameters of the order will see every book that is received pursuant to the order. Some other bibliographers apparently leave it up to someone like the appellant to review the books to see if they meet the general requirements of the blanket order. If they clearly meet the requirements, the appellant will send the book on to cataloging. If they clearly do not, the appellant will have them sent back to the vendor. If there is a question, she will send them on to the appropriate bibliographer for the final decision. The key factors in determining that the appellant is not performing either selection or collection development is that she is making decisions interpreting the requirements in the blanket order, she does not establish those requirements, and she sends the questionable books on to the bibliographer for the final decision.

In the case of Radovich v. DP, 81-117-PC (7/6/83), the Commission concluded that someone assigned to the Acquisitions Department was also making selection decisions (as well as performing reference work). In Radovich, the employe had language skills for slavic languages. The Commission made the following finding:

Based upon his knowledge of the Library's current Collection, his professional knowledge of the subject fields and his knowledge of the research being conducted at the University of Wisconsin, the appellant selects those materials to be purchased relating to Yugoslavian, Balkan and Yugoslav emigre' subject areas. Hundreds of cards describing individual works as well as listings of materials are either sent directly to the appellant by outside sources or are forwarded to the appellant by Alex Rolich, the Slavic bibliographer at Memorial Library. The appellant uses a system of one, two or three check marks to indicate the relative importance of the materials to the Library's collection. The cards, bearing the appellant's check marks, are then returned to Mr. Rolich who, without exception, follows the appellant's selections and then approves for purchase those selections which fit within budgetary limits. The acquisitions department will not make a purchase in the slavic area without written approval of Mr. Rolich.

In Radovich, the bibliographer had relinquished his authority over all aspects of the selection decision other than the budgetary considerations. There were no requirements or standards such as those present in the blanket orders that the appellant in the instant appeal had to apply.

Although it is a close case, the Commission concludes that the appellant does not exercise the discretion and have the authority that is necessary to perform selection and/or collection development.

The appellant also argues that she performs reference work. The specifications do not provide us with a definition of "reference", and a variety of definitions were advanced during the course of the hearing.

For the purposes of this appeal, the Commission will adopt the definition of "reference" advanced by the appellant and found in Appellant's Exhibit 1, page 5:

Professional services to library staff and/or users who require specific information or help in locating specific information. Such services may involve an encounter in person, by phone, by mail, or by other means.

Given the language of the relevant position standards and specifications, the Commission will construe "professional services" to mean "professional library services."

The appellant suggests that by responding to questions about the acquisitions process and by providing translation of materials, she is providing reference services. Appellant's testimony reads:

Q. Okay. What is the subject matter of the reference questions you've most frequently received?

A. Most frequently they're about the Spanish language, dealing with problems in Spanish language.

Q. Anything else?

A. Sometimes questions about the acquisitions procedures.

Transcript. p. 52.

Q. What do you need to know in order to answer questions that deal with the Spanish language?

A. You would have to have a good working knowledge of Spanish.

Q. Okay, and what do you need to know in order to answer questions that deal with acquisitions? The acquisitions process?

A. I would say a good working knowledge of kinds of tasks that are done in acquisitions.

Q. Is it necessary to know about the entire acquisitions process in order to answer these questions?

A. Sometimes.

Transcript, p. 55.

Q. Could you give us some examples of the kinds of "translation" you might be called upon to perform?

A. Well, the most frequent example, I guess would be the problems Spanish and Portuguese names. Lots of times surnames in Spanish and Portuguese have more than one element. A patron will come in and not know which element to look under in order to find that person's work in our catalogues.

Q. Okay. Could you give another example of that type of questioning you might get?

A. Well, our catalogue is just so complicated that it's quite often patrons don't know exactly how to use it. They will ask me questions about how to use our public catalogue.

Transcript, p. 82.

Pure translation of words from one language into another is not a professional library services because it does not require any knowledge of a library's collection or practices. Such pure translation is the equivalent of providing a deaf person with a transcription of a tape recording containing a list of certain books found in the library. Unless the transcriber (or translator) utilizes a knowledge of library science or of the individual library's collection or practices, the transcriber is not providing a professional library service. Again, the facts in Radovich can

be contrasted. In Radovich, the subject employe provided assistance "in the nature of determining whether the library's holdings include the material being sought as well as providing suggestions to persons conducting research as to materials that might be of interest or assistance." Mr. Radovich's assistance clearly extended beyond mere translation. Some of the appellant's activities, such as explaining the use of the public catalog (Transcript, p. 82) clearly meet the definition of reference work. However, the appellant's testimony indicates that most of her questions involve either pure translation or relate to the library's acquisitions procedure.

The Commission also cannot accept the appellant's contention that her responses to acquisitions questions constitute reference work. It would be different if the appellant spent 95% of her time performing acquisitions work and the remaining 5% of her time answering questions from staff and the public about the library's cataloging practices. There, the questions relate to a separate library function. If the appellant were credited for performing "reference work" by answering questions regarding the acquisitions process, then a person performing 95% reference work and spending the final 5% responding to questions about reference procedures should also be deemed to perform two distinct library functions, thereby justifying classification at the Librarian 2 level. Those questions that relate primarily to the acquisition process and secondarily meet the definition of reference should not be used as a basis for concluding that the appellant performs two separate library functions: acquisitions and reference.

As noted above, the appellant does answer some questions that properly fit within the definition of reference work. However, these questions seem to represent a minority of the 5% time spent answering acquisition questions

and questions relating to the Spanish language. At some point, the amount of time that someone spends on a given function may become so small as to be trivial. For example, someone in the cataloging department who answers one brief reference question every six months is not entitled to be considered as performing two separate library functions. Here, the appellant spends less than an hour a week, or no more than 2% of her time performing true reference work. At that time level, the significance of performing a second library function is minimal for classification purposes; and her reclassification request was appropriately denied.

Based on the above, the Commission finds that the appellant performs acquisition work and does not perform other professional library functions.

ORDER

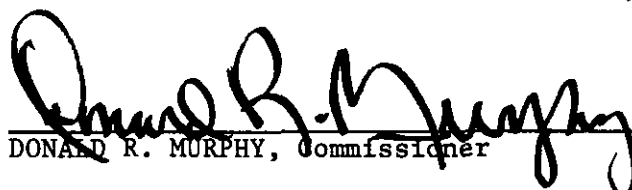
The respondent's decision reallocating the appellant's position to the Library Associate 2 classification is affirmed and this appeal is dismissed.

Dated: June 4, 1986

STATE PERSONNEL COMMISSION


DENNIS P. MCGILLIGAN, Chairperson

KMS:jmf
ID6/1


DONALD R. MURPHY, Commissioner

Parties

Janet Monk
Acquisitions Dept.
UW Memorial Library
728 State Street
Madison, WI 53706

Howard Fuller
Secretary, DER*
P. O. Box 7855
Madison, WI 53707

*Pursuant to the provisions of 1983 Wisconsin Act 27, published on July 1, 1983, the authority previously held by the Administrator, Division of Personnel over classification matters is now held by the Secretary, Department of Employment Relations.

POSITION DESCRIPTION

DER-PERS-10 (Rev. 1-78)
 State of Wisconsin
 Department of Employment Relations
 DIVISION OF PERSONNEL

1. Position No.	2. Cert/Reclass Request No	3. Agency No
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RECEIVED

4. NAME OF EMPLOYEE: **Janet Monk** 5. DEPARTMENT, UNIT, WORK ADDRESS: **University of Wisconsin - Madison**

6. CLASSIFICATION TITLE OF POSITION: **Library Associate** **Personnel Commission**
 7. CLASS TITLE OPTION (To be Filled Out By Personnel Commission): **Personnel Commission**

8. NAME AND CLASS OF FORMER INCUMBENT: **University of Wisconsin - Madison**
General Library - Acquisitions Department
324 Memorial Library

9. AGENCY WORKING TITLE OF POSITION: **Library Associate - Spanish & Portuguese**
 10. NAME AND CLASS OF EMPLOYEES PERFORMING SIMILAR DUTIES: **Janell Duxbury**
Milan Radovich

11. NAME AND CLASS OF FIRST-LINE SUPERVISOR: **Lois Thies, Academic**
 12. FROM APPROXIMATELY WHAT DATE HAS THE EMPLOYEE PERFORMED THE WORK DESCRIBED BELOW? **April 1976**

13. DOES THIS POSITION SUPERVISE SUBORDINATE EMPLOYEES IN PERMANENT POSITIONS? AND ATTACH A SUPERVISORY POSITION ANALYSIS FORM (DER-PERS-84).
 Yes No IF YES, COMPLETE

14. POSITION SUMMARY - PLEASE DESCRIBE BELOW THE MAJOR GOALS OF THIS POSITION
Search requests for books to avoid duplication. Review books received on firm orders and blanket orders. Resolve bibliographic problems. Translate correspondence. Revise order file. Compile N.P.A.C. reports.

15. DESCRIBE THE GOALS AND WORKER ACTIVITIES OF THIS POSITION (Please see sample format and instructions on back of last page.)
 -GOALS: Describe the major achievements, outputs, or results List them in descending order of importance.
 -WORKER ACTIVITIES: Under each goal, list the worker activities performed to meet that goal.
 -TIME %: Include for goals and major worker activities.

TIME %	GOALS AND WORKER ACTIVITIES
40%	(Continue on attached sheets) A. Search requests for current and second-hand materials in Western languages (primarily Spanish & Portuguese) and some transliterated non-Roman languages to determine if in library or on order. A1. Search requests in public catalog, on-order file, Serials Dept. order file, OCLC data base. A2. Establish correct form of personal author's name or corporate author and series entry. Complete all necessary bibliographic information by searching in public catalog or OCLC data base. Re-search if form of name is different than on original request. A3. Verify bibliographic information of incomplete and expensive items in OCLC data base or appropriate domestic or foreign national/international bibliographies.

16. SUPERVISORY SECTION - TO BE COMPLETED BY THE FIRST LINE SUPERVISOR OF THIS POSITION (See Instructions on Back of last page)

a. The supervision, direction, and review given to the work of this position is [] close [] limited [x] general
 b. The statements and time estimates above and on attachments accurately describe the work assigned to the position. (Please initial and date attachments.)
 Signature of first-line supervisor: Lois D. Thies Date: 2-27-81

17. EMPLOYEE SECTION - TO BE COMPLETED BY THE INCUMBENT OF THIS POSITION

I have read and understand that the statements and time estimates above and on attachments are a description of the functions assigned my position. (Please initial and date attachments)
 Signature of employe: Janet Monk Date: 2-27-81

18. Signature of Personnel Manager: Sandra J. Gehler Date: 2-27-81

Respondent's Exhibit # 1

- A4. Trace requests for older books in various bibliographies to determine if books are still in print.
- A5. Resolve problems which arise during searching procedures, such as incorrect and misfiled entries in catalogs and duplicate orders, and determine actual holdings by checking shelf list and stacks.
- A6. Keep daily and monthly statistics of the number of titles searched and amount of time spent.
- 50% B. Review newly-received book and non-book materials for Memorial Library and fourteen branch libraries in all languages except those with non-Roman alphabets.
- B1. Review books received on firm orders by checking information on order against item received to insure order has been filled correctly.
- B1a. Determine if correct title, edition, number of copies & number of volumes has been received.
- B1b. Correct all records if order contained incorrect information.
- B1c. Determine whether item requires special handling (e.g. binding of loose material).
- B1d. Screen for materials appropriate for special collections (e.g. Rare Books, Reference, Locked Case).
- B2. Utilize a specialized knowledge of Ibero-American studies to review all books received from blanket orders in Spain, Portugal, Mexico, Brazil, Argentina, Chile, Peru, Colombia, Venezuela, Paraguay & Uruguay (i.e. books sent on approval rather than firm order basis.) Review 50% of books received on blanket orders for Australia, Germany & the Philippines.
- B2a. Determine if books meet guidelines for appropriate blanket order: (i.e. subject, date & place of publication, quality & cost.), consulting with appropriate bibliographer as necessary.
- B2b. Screen for materials appropriate for reference & branch collections.
- B2c. Screen for serial & book continuation materials.
- B2d. Establish continuation records for works to be published in more than one volume, & process added volumes.
- B2e. Search books received on some blanket orders against existing library holdings in public catalog & acquisitions dept. order file to prevent duplication.
- B2f. Determine if invoices have been charged to appropriate fund, have charge changed when necessary, and determine missing charges.
- B3. Resolve all problems which occur during the review procedure.
- B3a. Re-search incorrect orders & orders lacking significant information (e.g. series)
- B3b. Search books which do not meet specifications.
- B4. Release materials for cataloging.
- 10% C. Miscellaneous
- C1. Revise on-order file:
- C1a. Check alphabetization of filing.
- C1b. Pull old on-order slips.
- C1c. Check for possible duplication of orders.
- C2. Translate all correspondence in Spanish & Portuguese.
- C3. Advise acquisitions department filers & invoice pullers on correct procedures, entries, proper spelling of foreign words etc.
- C4. Train new personnel as necessary.
- C5. Search gift books to determine which are already owned.

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