

STATE OF WISCONSIN

PERSONNEL COMMISSION

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 GERALD WAGER, \*  
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                   Appellant, \*  
 \*  
 v. \*  
 \*  
 Administrator, DIVISION OF \*  
 PERSONNEL, \*  
 \*  
       ⚡          Respondent. \*  
 \*  
 Case No. 81-0134-PC \*  
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 \* \* \* \* \*

DECISION  
 AND  
 ORDER

After conferring with the hearing examiner, the Commission modifies the proposed decision as follows in order to better reflect the record in this matter:

A. Finding of Fact #9 is modified to read:

9. Although it is not reflected in his position description, appellant spends between 10 and 18% of his work time functioning as the chairman of the library's Collection Maintenance and Preservation Committee. The appellant has served in that capacity since 1978 when he was appointed, at the appellant's request, by Joseph Treyz, then Director of the Library. The committee's responsibilities as well as the appellant's duties in this area, as chair of the committee, include:

The responsibility of the committee was to collect, develop, and disseminate information relating to preservation and collection maintenance to the library, other State libraries, and other interested parties; to provide advice and counsel regarding preservation practices and procedures; and to monitor practice in the library.

Much of my time in late 1980, early 1981, aside from that spent in preparing for and chairing monthly meetings for the committee as well as a subcommittee, was spent preparing for joint workshop

on disaster planning organized by the committee and the Madison Area Library Council. I organized and moderated this workshop as well as gave a slide lecture on the flooding and restoration of the collections at Stanford University Libraries. (Appellant's Exhibit 1, p. 5)

The committee carried out its responsibilities by maintaining a file of information relating to collection maintenance and preservation, preparing specialized bibliographies, disseminating information about the topic via workshops and via circulation of a slide show in a national basis, preparing a preservation statement that recommended the creation of a preservation department within the library, making changes in certain preservation procedures and equipment and working with the preservation department to obtain funding for the preservation laboratory. The appellant has made presentations at workshops and has lectured at the Library School on preservation. In 1980-81 the committee had eighteen members. As chairperson, the appellant is responsible for handling general correspondence for the committee, receiving inquiries from other libraries about setting up similar committees, sending out the bibliographies that have been developed and reviewing reports as to the circulation of the committee's slide show. The appellant also served on the subcommittee in charge of developing a disaster manual for Memorial Library, that would minimize damage to the collection caused by a fire or other major disaster.

B. The following language is added after the first full sentence of the first full paragraph on page 10:


A review of the transcript (pp. 57 to 72) and of the exhibits (Appellant's Exhibits 23, 24, 27, 28, 30, 31, 32, 33, 34, 35 and 36) strongly supports the conclusion that the appellant's preservation responsibilities are ongoing, professional and programmatic. The fact that

the appellant volunteers in this role does not cause his efforts to be uncompensable. Appellant's preservation responsibilities are not temporary in the sense of having an anticipated ending date. In that sense, the facts in this case are similar to a hypothetical situation where correctional officers in a various state prison might volunteer to be on the institution's riot squad. Riot duty is a responsibility that would presumably require additional training and might affect an individual's job classification and compensation. Anyone volunteering for duty on the riot squad could stop volunteering at any time.

Other than as noted above, the Commission adopts the attached Proposed Decision and Order in its entirety.

Dated: June 18, 1986 STATE PERSONNEL COMMISSION

  
DENNIS P. MCGILLIGAN, Chairperson

  
DONALD R. MURPHY, Commissioner

KMS:jmf  
ID4/2

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\*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.

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GERALD WAGER,

Appellant,

v.

Administrator, \* DIVISION OF  
PERSONNEL,

Respondent.

Case No. 81-0134-PC

\* \* \* \* \*

PROPOSED  
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 1973. He has received a masters degree in Slavic Languages.

2. At all times relevant to the proceeding, the appellant has been employed within the Catalog Department of the Memorial Library. The Catalog Department is responsible for cataloging primarily non-Roman alphabet materials and the upkeep of the card catalog.

3. The appellant's immediate supervisor is Mr. Robert Gakovich.
4. Appellant's duties are generally described in his position description, a copy of which is attached hereto and incorporated by reference as if fully set forth as part of this finding.
5. 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 nonprint 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.

6. 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 allocating 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.

CALL NUMBER - The notation used to identify and locate a particular book within the library. It consists of the classification number and author number, and it may include other identifying symbols.

CATALOG - A list of the holdings of a particular library or group of libraries.

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.

CLASSIFICATION - A systematic scheme used to arrange books and other library materials in order by subject or by form.

CLASSIFICATION NUMBER - The number assigned to a "work" to show the major subject of the material and to indicate its location in the collection.

\* \* \*

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 of library services.

\* \* \*

DESCRIPTIVE CATALOGING - The cataloging process concerned with identifying the main entry and describing the "work".

\* \* \*

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

\* \* \*

MAIN ENTRY - A full cataloging entry, usually the author entry, giving all the information necessary for the identification of a work. This entry includes the tracing for all other entries under which the work is entered in the catalog.

\* \* \*

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.

\* \* \*

SUBJECT CATALOGING - The cataloging process concerned with selection of subject entries and a classification number.

\* \* \*

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.

7. As indicated in his position description, the appellant's primary responsibility is to perform descriptive and subject cataloging for the various libraries in the UW's General Library System which includes the Memorial Library. Descriptive cataloging is listing what are basically the



physical characteristics of a work, including the title, publisher, and size. Subject cataloging is examining a work to determine the major topics and then assigning a call number to the work. The appellant performs both copy cataloging (where cataloging information has already been prepared on a work by other library) and original cataloging (where it has not).

8. The position standard for the Librarian series does not treat descriptive cataloging and subject cataloging as separate library functions for classification purposes. The Librarian standard establishes "cataloging" and all that that term encompasses as one library function.

9. Although it is not reflected in his position description, appellant spends between 10 and 18% of his work time functioning as the chairman of the library's Collection Maintenance and Preservation Committee. The appellant has served in that capacity since 1978 when he was appointed, at the appellant's request, by Joseph Treyz, then Director of the Library. Appellant's duties in this area, as chair of the committee, include:

The responsibility of the committee was to collect, develop, and disseminate information relating to preservation and collection maintenance to the library, other State libraries, and other interested parties; to provide advice and counsel regarding preservation practices and procedures; and to monitor practice in the library.

Much of my time in late 1980, early 1981, aside from that spent in preparing for and chairing monthly meetings for the committee as well as a subcommittee, was spent preparing for a joint workshop on disaster planning organized by the committee and the Madison Area Library Council. I organized and moderated this workshop as well as gave a slide lecture on the flooding and restoration of the collections at Stanford University Libraries.

10. The appellant's role as a member and as chairman of the committee is voluntary.

11. The appellant spends approximately 5% of his time responding to questions from library patrons that typically relate to slavic languages or

slavic study areas. The appellant's responsibilities are as described by him in Appellant's Exhibit 1:

I provided reference service to Madison faculty and students, the staff of the general library system, and librarians within and outside the State. I answered questions of a general nature concerning Slavic languages and of a more specialized nature concerning Slavic area studies. I helped faculty and graduate and undergraduate students to locate materials both in the Library and at other locations so they could obtain them through interlibrary loan. I also responded to referrals from the library's information desk. These referrals sometimes involved phone calls from other campuses in the university system or from scholars outside the State. Library staff often came to me for assistance in providing the correct Romanized transliteration of titles and names originally in a Cyrillic alphabet, in verifying bibliographic citations (especially the interlibrary loan department), or in the identification of the language of a text (for some reason people think Esperanto is a Slavic language).

In addition to handling reference questions regarding Slavic languages or Slavic area studies, I also responded to queries (statewide, national, and international) concerning collection maintenance and preservation of library materials. I provided general information and basic bibliographies on preservation and offered advice to librarians on methods of establishing preservation committees at their respective institutions.

12. The majority of the work described in finding 11 is comprised of purely translation work, or are questions that relate to appellant's preservation responsibilities.

13. The appellant serves as a language specialist in the library function known as cataloging and he also performs collection maintenance and preservation work.

#### 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 his position to the Library Associate 2 classification

is incorrect and that his position is more properly allocated to the Librarian 1 classification.

3. The appellant has met his burden of proof.

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

OPINION

The appellant seeks reversal of a decision reallocating his 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.

The appellant contends that he performs four separate professional library functions: descriptive cataloging, classification (or subject cataloging), collection maintenance, and reference. The appellant has established that a cataloger typically relies on different materials when performing descriptive cataloging versus subject cataloging and that other libraries have divided their staffs so that some persons only do descriptive cataloging work while others only do subject cataloging. The issue is one of whether the class specifications that apply to the instant case contemplate

such a distinction. A review of the specifications indicates that they do not.

The Library Associate 2 specifications refer to "performing a technical library function. . .such as cataloging." The Librarian 1 classifications refers to "a specialist, responsible for performing a wide range of library functions such as. . .cataloging." The Librarian position standard goes on to define "cataloging" in such a way as to include both descriptive and subject cataloging:

. . .includes determining the main entry, describing the work, and assigning added entries, subject entries, and a call number.

The classification scheme clearly does not permit the Commission to consider descriptive and subject cataloging as separate library functions.

The appellant also argues that his work as chairperson of the Collection Maintenance and Preservation Committee is a separate library function. Testimony showed that the appellant volunteered to serve on the committee, that this work is not reflected on his position description and that his performance in this area is not evaluated by his supervisor nor is he subject to discipline if he fails to perform this work. The key facts here are that the committee work was performed on state time, with the approval of the appellant's supervisor and, as of the date of the reallocation action, for a period of over five years. The committee work was also directly related to furthering the programmatic goals of the library, as compared to, for example, serving on a committee responsible for assigning parking spaces to library employes. The collection maintenance and preservation committee has been assigned the responsibility to;

collect, develop, and disseminate information relating to preservation and collection maintenance to the library, other State

libraries, and other interested parties; to provide advice and counsel regarding preservation practices and procedures; and to monitor practice in the library.

This responsibility is interrelated with that of the library's Collection Maintenance Department which was created in 1978 at the recommendation of the appellant's committee. The department is responsible for actually carrying out the collection maintenance, including determining if materials are in a condition appropriate for circulation and microfilming those materials that are too brittle for circulation.

The Commission is satisfied that collection maintenance and preservation is a distinct library function and that the appellant, in his role as committee chairperson, has been performing certain aspects of that function including monitoring library practices, providing advice and counsel and collecting, developing and disseminating information regarding the function. It is difficult to determine the precise percentage of time that the appellant spends on collection maintenance because he suggested 10% in his interrogatory (Appellant's Exhibit 1), but offered testimony that he spent 18% of his time on preservation committee activities during the period from 1979 to 1981. In addition, a portion of the 5% of appellant's time referred to as "reference" work in his position description is more appropriately allocated to collection maintenance and preservation work.<sup>1</sup> These figures indicate that at least 10% of the appellant's time was spent performing preservation work.

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<sup>1</sup> As explained below, that portion of time that appellant entitled as "reference" work and that involved answering questions relating to collection maintenance and preservation should be included as part of the collection maintenance function rather than as part of a reference function.

The final argument raised by the appellant is that he performs reference work. This responsibility, alleged to represent approximately 5% of the appellant's time, is reflected within goal G of the appellant's position description. Appellant's reference work is not a temporary assignment, nor do all of the questions referred to him relate to cataloging or collection maintenance. The fact that the appellant receives the reference questions because of his language expertise does not somehow turn them into something other than reference questions. Pure translation of words from one language into another is not a professional library service because it does not require any knowledge of a library's collection or practices. When the appellant identifies the language of a particular text, he is not performing professional library service unless he goes on, for example, to provide information as to whether (or where) the text is available in translation. However, the appellant has shown that he does more than just translate: He helps "faculty and graduate and undergraduate students to locate materials both in the library and at other locations." He also responds to questions from all over the country regarding collection maintenance and preservation of library materials. The latter group of questions are more appropriately included as part of the appellant's collection maintenance function, rather than as a part of reference, for the same reason that questions relating to acquisitions should be considered part of an acquisitions function rather than as part of a separate reference function. After subtracting the appellant's pure translation work and those questions relating to collection maintenance, the original figure of 5% reference work must be deemed as being more than halved, resulting in a figure of 2% or less.

Respondent's witnesses admitted that the appellant performed reference work but argued that it is an incidental function and does not rise to the level of a separate library function. In his brief, respondent suggests that because one of the Library Associate 2 work examples refers to "provid[ing] reference services which usually involves the use of a foreign language. . ." the appellant's position should be classified at that level. It is true that if the appellant spent 100% of his time providing reference services relating to the slavic languages, he would be correctly classified at the Library Associate 2 level as indicated by the work example. These facts are not present in the instant appeal.

The Librarian specifications do not indicate a minimum time percentage necessary for an area of responsibility to become a separate library function. While in most cases, the Commission's review focuses on whether the majority of duties assigned to an appellant fall within the higher classification, here that standard is inapplicable. The Library Associate 2 specification calls for one library function and the Librarian 1 specification calls for two or more library functions for specialist positions.<sup>2</sup> As long as the appellant has established that he regularly performs other professional library functions in addition to his cataloging responsibilities, he is entitled to the Librarian 1 classification, even though he spends just 5% or 10% on the secondary library functions. The appellant has shown that he spends at least 5% to 10% of his time performing collection maintenance and preservation work and more than 50% of his time

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<sup>2</sup> For example, a library specialist spending 52% of his time on cataloging and 24% each on reference and collection development would be classified at the Library Associate 2 level if the majority of a specialist's duties had to be divided amongst at least 2 library functions in order to be classified at the Librarian 1 level. Nothing in the specifications supports this interpretation.

performing cataloging work. By performing these functions, the appellant is entitled to classification at the Librarian 1 classification.

The bulk of the work characterized by the appellant as "reference" work is either pure translation or is better categorized as collection maintenance work. 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 acquisitions 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 his time performing true reference work. At that time level, the significance of performing "reference" as a separate library function is minimal for classification purposes.

ORDER

The respondent's decision reallocating the appellant's position to the Library Associate 2 classification is reversed and this matter is remanded to the respondent for action in accordance with the decision.

Dated: \_\_\_\_\_, 1986

STATE PERSONNEL COMMISSION

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DENNIS P. MCGILLIGAN, Chairperson

\_\_\_\_\_  
DONALD R. MURPHY, Commissioner

Attachment

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LAURIE R. MCCALLUM, Commissioner



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\*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.