

STATE OF WISCONSIN

PERSONNEL COMMISSION

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 ABDULLA BADSHA, *
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 Appellant, *
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 v. *
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 Administrator, *
 OF PERSONNEL, *
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 Respondent. *
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 Case No. 81-135-PC *
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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. The appellant's library work utilizes a variety of scripts (Gurmukhi, Devanagari, Tamil, Telugu, Arabic and Roman) as well as languages (Sanskrit, Hindi, Urdu, Persian, English, Marathi, Bengali, Telugu, Malayalam, Tamil, and Arabic, among others).

2. At all times relevant to the proceeding, the appellant has been employed within the Catalog Department of the Memorial Library.

3. Appellant's duties are generally described in his position description which summarizes his responsibilities as follows:

Catalog monographs and assist the Serials Team in cataloging the South Asian titles in Urdu, Telugu and Hindi. Assist the Acquisition Dept. with problems and perform pre-cataloging searching for works in these languages. Copy cataloging will include works in South Asian languages not mentioned above.

4. 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.

5. 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".

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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.

6. As indicated in his position description, the appellant's primary responsibility is to perform descriptive and subject cataloging in the catalog department. 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.

7. 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.

8. Appellant spends approximately 10% of his work time performing leadwork with respect to cataloging, including hiring and assisting in hiring student-assistants, training those students in searching and copy cataloging, scheduling, assigning, revising, and evaluating their work.

9. The relevant position standards do not establish leadwork as a separate library function.

10. Appellant spends approximately 5% of his time assisting library personnel "with language/script problems arising in placing and claiming orders and checking in publications, assembling them for binding, searching, cataloging and editing roman alphabet material written by Indic-named authors." (Item E.1 on appellant's position description.) This also includes occasionally providing translation services and answering cataloging related questions posed by library patrons. This work does not constitute performance of the separate library function of "reference" as listed in the Librarian position standard.

11. The appellant serves as a language specialist in the library function known as cataloging but does not perform significant levels of any other library functions contemplated in the Librarian position standard.

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 not met his 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 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), leadwork, 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 classifica-

tions 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 contends that his leadwork responsibilities are a separate library function that justifies classification at the Librarian 1 level. As shown by the summary found in finding 8, the appellant's leadwork responsibilities relate entirely to cataloging and do not extend into other recognized library functions such as acquisitions, collection development, circulation or reference.^{FN}

The position standards for both the Library Associate 2 and Librarian 1 classifications refer to leadwork responsibilities. The LA 2 "Examples of Work Performed" include:

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

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

Appellant's position description makes no mention of leadwork responsibilities. However, testimony established that appellant does perform that leadwork described in finding #8.

^{FN} If, for example, the appellant spent 70% of his time performing acquisitions work and the remaining 30% performing leadwork in circulation, he would be entitled to classification at the Librarian 1 level.

The Librarian 1 classification also makes reference to leadwork:

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. (emphasis added)

The appellant points to the phrase "function as a leadworker" as indicating an intent to establish leadwork as a separate "library function":

Since the differentiation between the Librarian and Library Associate classification series is dependent upon the number of functions performed, it seems legitimate to assume that the Division of Personnel intended that lead work should be considered as a separate responsibility and that it used the term "functions" to characterize that responsibilities advisedly and to some purpose; a different term would have been used if the intent were to classify these work responsibilities as something different than "reference, collection development" (Resp. Exh. 4, p. 6) "cataloging or acquisitions" (Resp. Exh. 3) or any of the other library functions listed. (Brief, pages 11-12)

Appellant's arguments fail to recognize that leadwork is a responsibility with a completely different nature than the library functions listed in the Librarian 1 specifications. The specifications do refer to "library function such as reference, collection development or cataloging", thereby indicating that the list is not inclusive. However, the rule of statutory construction referred to as ejusdem generis provides that when specific and general words are used together, the general words refer only to things of the same type as the specific words. La Barge v. State, 74 Wis. 2d 327, 246 N.W2d 794 (1976).

The appellant also fails to take into account the language used in the final sentence of the Librarian 1 class definition: "Positions allocated to this level function under limited supervision received from higher level

professional library staff." If the Commission were to accept appellant's contention that leadwork is a separate library function because the classification definition uses the phrase "may function as a leadworker", then to "function under limited supervision" could also be construed as a separate library function and someone performing only professional acquisition work under limited supervision would be entitled to classification at the Librarian 1 level. That would clearly be an absurd result because by definition all Librarian 1 positions are to function under limited supervision.

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, for the most part, reflected within item E.1 of the appellant's position description. 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. However, 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. Transcript, page 120. For example, if the appellant identifies the language of a particular text, he is not performing professional library service unless he goes on to provide information as to whether (or where) the text is available in translation. Appellant's work in this general area is described by the following testimony by the appellant:

- Q. Okay. What particular area of expertise do you have that you might be called upon to provide reference information in?
- A. That is one. . .there is no one area of expertise. It's all areas. It's as I said, sometimes translation about geographic regions or concepts or information about library. How do you find. . .how do you find. . .I'm looking for a book on. . .or a text of contrast. Now, where do you find these? I've looked in the library. I've not been able to find it, so I tell them this probable is the main entry, the specific main

entry. Well, there are cross references in the public and there are cross references in the official. . .all this. . . they should lead the people to this specific entry, but in a lot of cases that will not work because of modifications, because of the problems of transliteration, especially in languages Urdu [sic] which doesn't have any vowels. So like Abdul Kareem can be used as. . .I won't even say whether it can be used as two words, as one word, assuming that all the cross references lead you to one form. But in Turkey, maybe they will pronounce. . .they will pronounce the word as Adbulkareem [sic]. In which case it gets written as A-b-d-u-l-k-a-r-e-e-n, e-e-m. So the person will be looking under this form, so by all means, all this cross references cannot be exhausted because if we make them very exhaustive, and all the files will be nothing but cross references. So there are kinds of problems when the public librarian runs into questions like this. I have not been able to find it. How do I find it. And at the time the librarian is able to handle things on his own. There have been times when he has to draw upon my knowledge, and that's how he gets that knowledge transferred to the public users.

- Q. Okay. Can you give an example of the kind of question you might be asked by somebody in the acquisitions department?
- A. The Acquisitions Department will have problems with like, what is this book? Is it about Hindi language or Hindi literature? Or is Hydrobad [sic] in Pakistan or in India? Or how do you . . .see there are some concepts again, this is not only a question of translation. There are lots of questions about concept, like the concept of an edition. Concept of a number is different. Concept of a volume is very different, so it is very hard for them to find, and sometimes even hard for me also to find out what is a volume number. Just, not because of the difficulty in finding out the number itself, but what do they mean by volume. They may say volume 1, volume 2. So there will be interpretational ambiguities like that, and I do help them out in these matters.

* * *

- Q. Okay, what kind of question might somebody in the Marc [sic] Department ask you?
- A. Mostly they will be the problems connected with interpretation of the titles, whether it's the same title or a translation or whether it's the same book or a different book.
- Q. Okay, what about somebody in the Catalogue Department?

- A. Catalogue Department questions vary. They will be connected sometimes with a name form, whether it's the same person or a different person, or sometimes there will be a title page which uses Indian concepts. Concepts, and they will not be able to pin down that particular concept to the type of book that it is. And in which case they have to seek my help, except for example the book talks about yoga all the time. The book is in English or in French, and the cataloguer does know, but the form of yoga that the book talks about is concrete [sic] yoga or some other yoga which is not specifically mentioned as a name, but through exposition it does come out.
- Q. Um humm.
- A. And a person familiar with that area will be able to specify it. Like someone who doesn't know about. . .doesn't know too much about English poetry can say that this is English poetry, but it is 18 century poetry written in the later period or earlier period can be understood by someone who is more interested about who is a little more. . .who has a little more expertise in that area by reading the book. Although the title and everything else that is available may not mention those specificities.
- Q. Okay.
- A. And this similar type of help.
- Q. Okay, what about the kind of questions you might be asked by someone in the Reference Department?
- A. Mostly about the uniform titles, and how do I find this book? What entry it can be in?
- Q. Okay, and the general. . .for whom would that the Librarian in the reference. . .the librarian in the reference department would come to you with these questions for. . .would she be seeking that information for herself or for someone else?
- A. It is primarily for the users of the library. It's not for herself, not for her own understanding. And so will be the public librarian, like sometimes there are books, Iranian students want some books and they were looking under some title, and I thought that I catalogued that book, but I could not off hand tell. I had to go to some of my own references and tell the public librarian that this book is available in certain form. Transcript, pp. 76-81.

The appellant's testimony indicates that much of what he considers to be "reference" work actually fits within his cataloging responsibilities and the remainder is pure translation work. Many of the appellant's "reference"

questions come from other staff within the Cataloging Department or from staff in the MARC (machine readable cataloging) Department and, as a consequence, these questions are clearly cataloging work. Questions from staff in other library departments may be pure translation or may require the appellant to apply his cataloging skills (e.g. determination of proper name form). Assistance to a library user again typically involves application of appellant's cataloging skills. For example, the appellant will provide a user with the proper subject heading for locating materials in the card catalogue on a given topic.

Even if one concluded that proper subject heading and name form questions from library departments (other than MARC and Catalog) and library users had to be classified as reference work rather than as cataloging work, they represent much less than the total of 5% of the time that the appellant claims to spend performing a reference function. 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. It is difficult to determine from this record the precise percentage of time that the appellant spends answering non-translating questions posed by staff from non-cataloging departments and by library patrons. Given the various categories of questions (i.e. relating to translation or received from either MARC or Catalog Department staff) that are clearly excluded from being considered as "reference" matters, the remaining questions should be considered as no more than half of the 5% figure assigned by the appellant to reference work. At that time level, the significance of performing a second library function would be minimal for classification purposes.

Because leadwork is not a separate library function, because the specifications define "cataloging" to include both subject and descriptive cataloging, and because the appellant does not perform more than a minimal amount of reference work, the appellant performs only one professional library function.

ORDER

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

Dated: MAY 29, 1986

STATE PERSONNEL COMMISSION


DENNIS P. MCGILLIGAN, Chairperson


DONALD R. MURPHY, 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.