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 SUSAN NEHLS, *
 *
 Appellant, *
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 v. *
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 Administrator, DIVISION OF *
 PERSONNEL, *
 *
 Respondent. *
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 Case No. 82-169-PC *
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DECISION
 AND
 ORDER

The Commission, after considering the arguments of the parties and consulting with the examiner in this matter, makes the following changes to the Proposed Decision and Order, a copy of which is attached.

FINDINGS OF FACT

A. The Commission amends the beginning of the sentence which starts on line 2 of page 7 to read: "For continuation of existing projects." This change makes the sentence more understandable.

B. The Commission amends Finding of Fact #11 to read as follows:

The accounting portion of the appellant's position (somewhat over 28% of her time, including all of goal A and parts of goals B and F) would more properly be classified at the Account Specialist 2 level rather than the Accountant 3 level.

This is essentially a reversal of the finding as set out in the Proposed Decision. That finding was premised upon the testimony of Mr. Ray Wyss who was described in the Opinion section as having recited those responsibilities listed in Finding #11 which justified the higher classification. The Commission has reviewed the record in this matter and has determined that Mr. Wyss' testimony (relating to the appellant's

responsibilities for analyzing budget requests, compiling a budget and reviewing drafts of research contracts) was in response to appellant's request that he provide examples of work performed by the appellant that were "accounting in nature." Mr. Wyss cannot be said to have been describing examples of work at the Accounting 3 level. In light of this distinction, the Commission concludes that Mr. Wyss' testimony was not inconsistent with allocating the appellant's fiscal responsibilities to the Account Specialist 2 level. Due to the limited variety of the appellant's accounting/fiscal work and the full range of professional accounting responsibility that is contemplated in the Accountant 3 classification definition, the Commission finds that the appellant's fiscal responsibilities are more appropriately equated with the Account Specialist 2 (PR1-11) level.

C. The Commission amends Finding of Fact #12 to read:

Because at least 60% of the appellant's position is comparable to work performed in other classifications assigned to pay range 1-11, the appellant's position is correctly classified as an AA 3 (PR1-11) rather than at the AA 4 (PR1-13) level.

The basis for this amendment is explained in the Opinion section, below.

CONCLUSIONS OF LAW

The Commission amends Conclusions of Law #3 and #4 to read as follows:

3. The appellant has not met her burden.
4. The respondent's decision denying the reclassification of the appellant's position from Administrative Assistant 3 to 4 was correct.

OPINION

The Commission adopts the following Opinion in the place of the Opinion set forth in the Proposed Decision.

The rationale relied upon by the Commission in upholding the respondent's reclassification decision is set forth in the explanation to its changes in Finding of Fact #11.

Given the nebulous distinctions in the Administrative Assistant 3 and 4 specifications, the best way to reach a classification determination in this matter is by breaking down the appellant's position into areas of responsibility and reviewing those functions in terms of other classification series.

The appellant spends some 32% of her time doing editing work. Because the Publications Editor 3 level is the highest editing classification absent lead work or supervisory responsibilities, the appellant's editing function is clearly best assigned to the same pay range (PR1-11).

The appellant's fiscal responsibilities are not quite as clearly defined. However, the Commission finds that the testimony best supports the conclusion that the appellant's responsibilities in this area (somewhat over 28% of her time), are better assigned to the Account Specialist 2 (PR1-11) level rather than the Accountant 3 level (PR1-13). The conclusion is premised on the very general nature of Mr. Wyss' testimony which only referred to work performed by the appellant which is "accounting in nature" rather than any testimony by Mr. Wyss that her work was at the Accountant 3 level. It is also undisputed that the class definition for the Account Specialist 2 level specifically refers to "limited accounting function in a relatively large unit," thereby including some accounting work. One of respondent's witnesses testified that a portion of appellant's accounting work might qualify as Account Specialist 3 level work, in pay range 1-12. However, the AS 3 specifications were not made part of the record in this matter and there is no indication that the bulk of appellant's fiscal work was at the pay range 12 level.


With more than 60% of the appellant's work at the pay range 1-11 level, the Commission concludes that the appellant has failed to show that her position should be reallocated above pay range 1-11 to the Administrative Assistant 4 (PR1-13) level. In light of the costing-out analysis adapted by the Commission, it is unnecessary to reach the questions of making specific whole job comparisons between the appellant's position and position at the AA 3 and AA 4 levels.

ORDER

The respondent's decision denying the reclassification of the appellant's reclassification request is affirmed and this appeal is dismissed.

Dated: October 31, 1983 STATE PERSONNEL COMMISSION


DONALD R. MURPHY, Chairperson


LAURIE R. McCALLUM, Commissioner

KMS:jmf


DENNIS P. MCGILLIGAN, 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.