

STATE OF WISCONSIN

PERSONNEL COMMISSION

 *
 JEANETTE SMART *
 *
 Appellant, *
 *
 v. *
 *
 President, UNIVERSITY OF *
 WISCONSIN SYSTEM (Platteville)*
 Secretary, DEPARTMENT OF *
 EMPLOYMENT RELATIONS, *
 *
 Respondents. *
 *
 Case No. 87-0002-PC *
 *

DECISION
AND
ORDER

This is an appeal from respondent's decision denying the reclassification of the appellant's position. At the prehearing conference held on February 13, 1987, before Donald R. Murphy, Commissioner, the parties agreed to the following issue for hearing:

Whether respondent's decision denying appellant's request for reclassification of her position from Program Assistant 1 to Program Assistant 3 was correct? If not, what is the appropriate PA classification for that position.

Hearing in the matter was held on May 4, 1987, in Platteville, Wisconsin and on June 25, 1987, in Madison, Wisconsin, before Commissioner Dennis P. McGilligan. The parties completed their briefing schedule on July 24, 1987.

FINDINGS OF FACT

1. At all times material herein, appellant has been employed in the classified civil service by the University of Wisconsin-Platteville acting as the principal support person to the chair of the Department of Teacher and Counselor Education, Robert Shockley, as well as the department's faculty.

2. In June 1985, appellant made a formal request for reclassification of her position from the Program Assistant (PA) 1 level to the PA 2 level. By memorandum dated November 28, 1986, Kathleen Kelley, Personnel Director of UW-Platteville, transmitted to James Cimino, Personnel Specialist, UW-System Administration, her findings and recommendations that the request be denied. Cimino, who had final responsibility for approving or denying this reclassification request, transmitted his decision to deny the request by letter dated December 29, 1986 to Robert Shockley, the appellant's supervisor. On January 13, 1987, appellant filed a timely appeal of this denial with the Commission.

3. Accompanying appellant's June 1985 reclassification request was a position description which described her duties and responsibilities at that time. A copy of that position description (Joint Exhibit 2) is attached hereto and incorporated by reference as if fully set forth as part of this finding.

4. On July 8, 1986, Personnel Director Kelley conducted an on-site job audit of appellant's position. When Kelley arrived to perform this audit, she was presented with a more recently developed position description. This latest description had been developed following a reorganization which resulted in the creation of the Department of Teacher and Counselor Education. From the aforesaid two job descriptions, Kelley asked appellant questions concerning her job functions. Kelley further requested (and received) a new reclassification request from appellant. This classification request asked for an appropriate classification reflecting appellant's new position description. Kelley later interviewed Robert Shockley who determines task assignment and any delegation of responsibility to appellant's position.

5. The duties and responsibilities of appellant's position are basically as set forth in the position description given to Kelley at the time of the audit (Respondent Exhibit 3) and signed by appellant on February 12, 1987, a copy of which is attached hereto and incorporated by reference as if fully set forth as a part of this finding.

6. One significant change in appellant's job at the time of the audit involved the addition of the Transescent Seminar. The following is a description of the changes in appellant's duties and responsibilities with the Transescent Seminar dating back to 1984:

- 1984 - (1983-84 academic year)
 - consultant travel to/from public transportation
 - audio visual equipment needed by consultants
 - recreation facilities (tennis, weight room, pool)
 - riverboat trip

- 1985 - (1984-85 academic year)
 - consultant travel to/from public transportation (which included work with NASA on Astronaut Norman Thagaard's flight arrangements)
 - audio visual equipment needed by consultants
 - recreation facilities (tennis, weight room, pool)
 - riverboat trip
 - work at seminar information desk

- 1986 - (1985-86 academic year)
 - total involvement
 - key contact person
 - special registration; independent study, extra credit, observers
 - riverboat trip, Greyhound Park
 - design registration form
 - visit facility
 - make group reservation
 - collect participant fees
 - issue tickets
 - deposit monies to appropriate account
 - have check issued for correct amount to pay facility . the night of event
 - host event
 - bus transportation
 - budget
 - collect and deposit participant fees
 - issue requisitions for payment of consultants (honorariums, travel, and expenses)
 - verification and payment of tuition; (graduate

- credit, extra credit, independent study)
- verification and payment of all invoices (housing, food service, telephone company, etc.)
- installation of telephones at student center
- collection of participant evaluations and verification of grade rosters
- coordination of staffing for information desk
- coordination of department office staffing

The Transescent Seminar provides "quality staff development for middle level educators and is designed to reflect the greatness of teaching and knowing transescent students." The seminar is invitational and designed around a school team concept. Each team of educators includes the principal, a counselor and at least three teachers. The team is responsible for pre-seminar readings and identifying a specific education project prior to the seminar. The seminar is "intensive and directive" and relates "to the key task of teaching and knowing the young adolescent." It has grown in size and popularity from the participation of 57 school systems during the 1985 seminar to 110 participating schools in the 1986 seminar. The participants in 1986 included approximately 1300 people from Wisconsin and through the United States. In addition to her duties during the seminar, appellant has ongoing responsibilities in follow up on the teams' projects including spring and fall luncheons and numerous phone calls.

7. Other significant changes in appellant's job from the time of appellant's initial reclassification request to the time of respondent's administrative review of the request include: appellant no longer serves as assistant to the Director of Student Teaching therefore eliminating all duties associated with student teaching; appellant is responsible for providing program assistance and managing the Center of Education for the Young Adolescent as well as the Department of Teaching and Learning; appellant's duties have expanded as secretary to the Teacher Education Committee to include attendance at Teacher Education Committee meetings,

coordination of the writing proficiency requirement and processing of applications for admission to College of Education Teacher Education Program; and finally appellant further increased her duties under computerization of records to include instruction of Department and Center personnel in the use of same.

8. The changes in the duties and responsibilities of appellant's position which preceded the instant transaction were logical and gradual.

9. Appellant manages the operating budget for the Department of Teacher and Counselor Education as well as the Center of Education for the Young Adolescent. This includes approximately \$18,000 for supplies and services for the department, \$3500 for audio visual, \$120,000 for the Center's budget and a faculty account (including the summer seminar) of between \$200,000 and \$300,000. She helps plan and initiate all these budgets and makes effective recommendations regarding same. Appellant delegates much of her responsibility for administering the Center to part-time (students) and project employes (a PA 1) she supervises. These employes are responsible for routine clerical and receptionist duties and are under appellant's supervision. Likewise, appellant supervises part-time and limited term employes in the Department who perform clerical and related tasks. Appellant does very little typing in her capacity as the primary support person for the Department and Center; the employes noted above do most of the typing as well as other routine tasks. Appellant interviews these employes, effectively recommends their hiring/firing, prepares their position descriptions and is responsible for their work.

10. The position standards for the Program Assistant series provide, in material part, as follows:

D. Classification Factors

Individual position allocations in this series will be based on the four following classification factors:

1. Accountability;
2. Know-How;
3. Problem-Solving; and
4. Working Conditions

which include:

- a. The diversity, complexity, and scope of the assigned program, project, staff responsibilities, or activities;
- b. The level of responsibility as it relates to: type and level of supervision received, status within the organization, and degree to which program responsibility and accountability are delegated and/or assigned;
- c. The degree to which program guidelines, procedures, regulations, precedents, and legal interpretations exist and the degree to which they must be applied and/or incorporated into the program and/or activities being carried out by the position;
- d. The potential impact of policy and/or program decisions on state and non-state agencies, organizations, and individuals;
- e. The nature and level of internal and external coordination and communication required to accomplish objectives;
- f. The difficulty, frequency, and sensitivity of decisions which are required to accomplish objectives and the level of independence for making such decisions.

II. CLASS DESCRIPTIONS

The following class descriptions for the various class levels within the Program Assistant series are designed to provide basic guidelines for the allocation of both present and future positions, as well as to serve as a basis for comparisons with positions in other class series.

PROGRAM ASSISTANT 1

(PR2-06)

This is work of moderate difficulty providing program support assistance to supervisory, professional or administrative staff. Positions allocated to this level serve as the principal support staff within a specific defined program or a significant segment of a program. Positions at this level are distinguished from the Clerical Assistant 2 level by their identified accountability for the implementation and consequences of program activities over which they have decision-making control. Therefore, although the actual tasks performed at this level may in many respects be similar to those performed at the Clerical Assistant 2 level, the greater variety, scope and complexity of the problem-solving, the greater independence of action, and the greater degree of personal or procedural control over the program activities differentiates the Program Assistant functions. The degree of programmatic accountability and involvement is measured on the basis of the size and scope of the area impacted by the decision and the consequence of error in making such decisions, which increases with each successive level in the Program Assistant series. Work is performed under general supervision.

PROGRAM ASSISTANT 2

(PR2-07)

This is work of moderate difficulty providing program support assistance to supervisory, professional or administrative staff. Positions are allocated to this class on the basis of the degree of programmatic involvement, delegated authority to act on behalf of the program head, level and degree of independence exercised, and scope and impact of decisions involved. Positions allocated to this level are distinguished from the Program Assistant 1 level based on the following criteria: (1) the defined program area for which this level is accountable is greater in scope and complexity; (2) the impact of decisions made at this level is greater in terms of the scope of the policies and procedures that are affected; (3) the nature of the program area presents differing situations requiring a search for solutions from a variety of alternatives; and (4) the procedures and precedents which govern the program area are somewhat diversified rather than clearly established. Work is performed under general supervision.

PROGRAM ASSISTANT 3

(PR2-08)

This is paraprofessional work of moderate difficulty providing a wide variety of program support assistance to supervisory, professional or administrative staff. Positions are delegated authority to exercise judgment and decision making along program lines that are governed by a variety of complex rules and regulations. Independence of action and impact across program lines is significant at this level. Positions at this level devote more time to administration and coordination of program activities than to the actual performance of clerical tasks. Work is performed under general supervision.

PROGRAM ASSISTANT 1 - WORK EXAMPLES

Plans, assigns and guides the activities of a unit engaged in specialized clerical duties.

Serves as acknowledged expert who resolves the most difficult problems of a complex clerical nature.

Performs most intricate clerical operations, processing documents and performing other clerical operations where comprehensive knowledge of legislation, or organization is required.

Sets-up, maintains detailed budget ledgers posting debits and credits, issuing credits and refunds, and generally insures all records are accurate and up-to-date.

Purchases and requisitions supplies, including capital purchases and services, and follows up to insure merchandise or services are received and priced accurately.

Gathers and organizes information into summary reports, as assigned.

Maintains department or program schedule.

Develops and revises operating procedures affecting the immediate work unit.

Composes and types correspondence, requiring knowledge of departmental operations and regulations, which may not be reviewed by a superior.

Counsels and assists the public when applying for services provided by the program assigned, and may interview applicants to determine eligibility for program benefits and/or services.

PROGRAM ASSISTANT 2 - WORK EXAMPLES

Provides administrative assistance to supervisory, professional and administrative staff, head of a department or program.

Schedules department facilities usage.

Maintains inventory and related records and/or reports and orders supplies.

Conducts special projects: analyzes, assembles, or obtains information.

Maintains liaison between various groups, both public and private.

Directs public information activities and coordinates public or community relations activities.

Prepares budget estimates, plans office operations, controls bookkeeping functions and handles personnel transactions.

Plans, assigns and guides the activities of subordinate employes engaged in clerical program support work.

Corresponds with various outside vendors or agencies to procure goods or information for program operation.

Develops and recommends policies, procedures, guidelines and institutions to improve administrative or operating effectiveness.

Screens and/or reviews publications; drafts or rewrites communications; makes arrangements for meetings and maintains agendas and reports; arranges schedules to meet deadlines.

Maintains extensive contact with other operating units within the department, between departments or with the general

public in a coordinative or informative capacity on a variety of matters.

Prepares informational materials and publications for unit involved, and arranges for distribution of completed items.

Attends meetings, workshops, seminars.

PROGRAM ASSISTANT 3 - WORK EXAMPLES

Prepares reports, research project data, budget information, mailing lists, record keeping systems policies and procedures, training programs, schedules and generally oversees operations.

Plans, assigns and guides the activities of a unit engaged in the clerical support of the program assigned.

Develops and/or revises selected policies and procedures affecting the administration of the program.

Answers questions regarding the program or division via telephone, correspondence or face-to-face contact.

May serve as an Assistant in charge of secretarial and administrative tasks in an operation handling cash procedures, equipment orders, inventory, program preparation, pricing, etc.

Composes correspondence, maintains files of program related data, sets up schedules and performs any related administrative support function necessary to the operation of the program.

May be in charge of public relations, preparing and sending out pamphlets, brochures, letters and various program publications.

11. From a classification standpoint, the appellant's position is at a higher level than the following positions which are classified as Program Assistant 1:

a. Sharon L. Pete presently occupies a position with this classification in the Department of Agricultural Industries, College of Agriculture, UW-Platteville. According to her position summary, Pete coordinates all secretarial functions and program assistance for the Department's undergraduate and graduate programs, UW-Extension Agriculture/Agri-Business programming, and research. Included among these duties performed by Pete are coordination of all office activities (30%) including a lot of typing, operation of office equipment and preparation of instructional materials. Said office activities also include "type departmental budget request; Process, record and file purchase orders, store requisitions, invoices and expense

vouchers; Prepare and provide monthly report of budget balances to Department Chairman." She spends 20% of her time in receptionist type duties. 15% of her time is spent developing and maintaining continuing student, student recruitment, alumni activities and files. Pete spends 10% of her time assisting UW-Extension program planning functions (most of these responsibilities are clerical in nature although she does "monitor extension budget and franking privileges.") 10% of her time is spent coordinating the Tri-State Cooperative Institute and other clinics; 10% of her time is spent in providing administrative assistance to the Agricultural Internship program and 5% is spent in the supervision of student part-time workers.

b. Barbara A. Klein is the primary support person for the chairs of the Departments of English and Philosophy at UW-Platteville. Klein is responsible for coordination of office activities and production of materials for faculty members in instructional and related activities (42%). 15% of her time is spent in the preparation of general correspondence. She also helps prepare various reports (8%) and assists the department chairs in testing programs (8%). She also provides other assistance to the departments and staff including monitoring various activities of students and faculty, receptionist duties, distributing mail and maintenance of department supplies and filing system. 4% of her time is spent in assisting the department chair in special programs: hiring of department staff where Klein receives application letters, distributes them, processes them, compiles dossiers and arranges travel; and folklore workshops, where Klein provides information, develops reports and makes recommendations on future programs. 4% of her time is spent supervising 3-4 student

helpers working at least 40 hours per week. She also interviews and hires these student clerical assistants. Finally, Klein spends 3% of her time in the maintenance of the department budget. Included in her budget responsibility are the following tasks: securing and compiling information for annual budget requests, preparing estimates and preparing the final approval draft for inclusion in the Arts and Science budget.

c. Loris Akervik is the Department of Elementary Education secretary with a PA 1 classification at UW-Eau Claire. According to her position summary Akervik assists the department chair and faculty by performing secretarial duties, doing payroll and budget preparation of student help and supervision of work students. 30% of her time is spent performing clerical tasks for the department chair including transposing dictation notes, mail, reception, filing, typing, scheduling meetings and maintenance of office supplies and equipment. Her department functions include acting as receptionist and office manager for 13 full-time and several part-time faculty, filing, working with faculty, students, professionals in other departments, teachers and administrators in public school districts within a 50-mile radius of the campus, typing, ordering, preparation of brochures, coordination of conferences, record keeping and maintenance of audiovisual equipment. She also manages financial records and accounts; namely, analysis of monthly budget reports to assure funds remain available for entire year, and maintain receipt file and cash accountability records of sales to students of miscellaneous supplies and elementary education booklets (5%). Finally, 15% of her time is spent in the supervision of student help who perform clerical work. She also hires

these students and maintains payroll and budget records on the students.

d. Cheryl Raisbeck is a PA 1 who is responsible for clerical assistance to the Teacher and Counselor Education Department (Shockley) and to the Director of Student Teaching and Internships. She acts as receptionist for the Counselor Education program (25%); she provides clerical assistance to the faculty members including the Director of Counselor Education (Shockley) (25%); she assists in the placement of students in professional semester assignments (25%); she maintains the cooperating teacher payroll for student teaching (5%) and she performs various other tasks (records, applications, receptionist, and correspondence for the student teaching program (20%).

12. From a classification standpoint, the appellant's position is at the same level as the following positions which are classified as Program Assistant 2:

a. Linda Neusen is a PA 2 working for two departments within UW-Extension, Family Living and 4-H. She spends 75% of her time in administrative support, 15% in liaison with Lowell Hall, 5% in budget support and 5% in professional. Her budget duties include preparing travel expense reports for program leaders and assisting staff in budget reporting and preparation. Neusen's administrative responsibilities, according to her position description, include:

1. Independently responds to letters, phone and personal inquiries on behalf of both program leaders.
2. Develops operating procedures compatible with other program area offices.
3. Provides interpretation of policies and procedures relating to personnel, planning and administrative fiscal matters.

4. Interacts with the public, state and federal agencies and statewide faculty and makes referrals to the appropriate persons.
5. Develops a flow of information and retrieval among each of the area's units in all locations and clearly communicates needs and instruction among unit personnel.
6. Establishes and maintains files in conjunction with other locations.
7. Screens incoming mail.
8. Schedules meetings, conferences, etc.
9. Types confidential correspondence.
10. Arranges for travel.

b. Linda Refior is a PA 2 working as a departmental secretary (Educational Foundations and Counselor Education) at UW-Whitewater. She spends 40% of her time in the provision of program and secretarial assistance to the department chair in the administrative functions of the department. This includes typing routine and more difficult materials, operating the department office, record keeping, serving as secretary to the department's Curriculum Advisory Committee, supervising student workers, handling assistant applications from graduate students and coordinating the secretarial work performed by a half-time typist. Refior organizes and manages the workflow generated by 20 faculty members by typing herself or assigning the work to student employes. Refior spends 15% of her time in the provision of program and secretarial assistance to the Practicum Coordinator in the administration of that program. This work consists primarily of typing and setting up placement interviews for students with various organizations and schools. Refior also provides assistance to students in various matters (15%). She spends 5% of her time on budget maintenance; i.e., record keeping, supplies and services accounts accounting, purchase orders, capital inventory and update. Finally, she spends 10% of her time on related secretarial and receptionist tasks.

13. From a classification standpoint, the appellant's position is at a lower level than the following positions which are classified as PA 3:

a. Janet Helen Lunda is a Program Assistant III with a working title of Administrative Assistant in the Department of Counseling and Guidance, School of Education, UW-Madison. According to her position description, Lunda is responsible to the Director of the Guidance Institute for Talented Students and serves as the administrator coordinator for many facets of its operation. Her responsibilities include bookkeeping and budget coordination; typing correspondence, manuscripts and reports; coordinating on-campus and off-campus workshops and annual symposium; serving as receptionist and supervising student hourly employes.

b. Judy Patterson occupies a position with this classification in the South Asian Area Center, UW-Madison. She spends 50% of her time assisting the Center director and Program Committee in coordination of the Annual International Conference; 25% of her time performing secretarial/receptionist duties for the Center and Director; 20% in newsletter/report preparation and 5% in other related work. As the Center secretary she sometimes assists an Outreach Coordinator and directs student help.

c. Joan Theresa Reid is a PA 3 who serves as Scholastic Administrative Secretary for the Department of Physiological Chemistry, Center for Health Sciences - Medical School, UW-Madison. She performs and coordinates office functions in the financial, personnel, typing, receptionist, schedule/calendar, clerical and related and other administrative tasks.

d. Alice M. Roberts is Assistant to the Chair of the Educational Policy Studies, UW-Madison. Roberts' position summary on her position description describes the major goals and objectives of her position as follows:

The Assistant to the Chair is responsible to and assists the faculty Chairperson in formulating and implementing a wide range of programmatic, bureaucratic, and financial policies. The Assistant to the Chair exercises independent judgment and broadly delegated authority in ordering supplies and capital equipment, accounting for the departmental budget, submitting course actions and timetable, supervising clerical staff, allocating space, counseling graduate students, orienting new faculty and assistants, composing and submitting numerous reports, and acting upon complex rules and regulations.

e. Mary Eichstaedt is an Administrative Assistant with the Department of Planning and Construction, UW-Milwaukee. According to her position description, Eichstaedt provides administrative support and coordination for a "small group of professional employes in Planning and Construction." Her goals and worker activities include administrative support (25%), project support (25%), word processing/micro-computer processing (20%), budget control (10%), personnel and payroll (10%) and other related tasks (10%).

14. The duties and responsibilities of appellant's position are more accurately described by the class specifications for a Program Assistant 2 and appellant's position is more appropriately classified as a Program Assistant 2.

CONCLUSIONS OF LAW

1. This matter is appropriately before the Commission pursuant to §230.44(1)(b), Stats.

2. The appellant has the burden of proof of establishing that the respondents' decision denying reclassification of her position was incorrect.

3. The appellant has not sustained her burden with respect to her request for reclassification to the PA 3 level.

4. The appellant has sustained her burden regarding reclassification to the PA 2 level.

5. The respondents' decision to deny the request for reclassification of the appellant's position to PA 3 was not incorrect.

6. The respondents' decision to deny the request for reclassification of the appellant's position to PA 2 was incorrect.

DECISION

The question before the Commission essentially is whether the appellant's position should be classified as a Program Assistant 1, Program Assistant 2 or a Program Assistant 3. In order for appellant to prevail, Smart must satisfy her burden of proving that her position meets the Program Assistant 2 or Program Assistant 3 definition and is more properly classified in that classification.

According to the class specifications, positions allocated to the Program Assistant 2 level are distinguished from the Program Assistant 1 level based on the following criteria: (1) scope and complexity of the program area; (2) the impact of decisions made; (3) the nature of the program area presents differing situations requiring a search for solutions from a variety of alternatives and (4) the procedures and precedents which govern the program area are somewhat diversified rather than clearly established. Positions allocated to the Program Assistant 1 level "serve as the principal support staff within a specific defined program."

Positions are allocated to the Program Assistant 2 level "on the basis of the degree of programmatic involvement, delegated authority to act on behalf of the program head, level and degree of independence exercised, and scope and impact of decisions involved."

Applying the above standards in the instant case, the Commission finds that appellant's position is appropriately classified at the Program Assistant 2 level. In this regard, the record indicates that appellant provides the principal administrative and program support within the Department of Teacher and Counselor Education and Center of Education for the Young Adolescent. In carrying out these tasks appellant acts with a minimum of supervision from her supervisor, Robert Shockley. She has a great deal of discretion, independence and decision-making authority in performing her duties.

Appellant's primary job duties compare most favorably to the work examples contained in the class specifications for a Program Assistant 2. In this regard the record indicates that appellant functions in a lead worker capacity with supervisory responsibilities over part-time and limited term employees (including students, clericals and other Program Assistant 1s). She is also effectively involved in the hiring and firing of these same people and prepares their position descriptions. In addition to her personnel responsibilities noted above, appellant helps develop the department budget, oversees the operating budget, manages the department's office and is responsible for the management of the Center of Education for the Young Adolescent, coordinates the Middle Level Teacher Education Program which has state and national impact, coordinates the Transescent Seminar, responds to public and elected officials and reviews various requirements for entry as well as completion of student requirements.

Finally, appellant spends only a very small proportion of her time actually performing clerical and related duties as those responsibilities are set out under "work examples" listed for a Program Assistant 1.

An examination of appellant's responsibilities in light of the four classification factors used to allocate individual positions in the Program Assistant series also supports reclassification of appellant's position at the Program Assistant 2 level. For example, Dr. Shockley testified, unrefuted by the respondent, with respect to the high level of difficulty, frequency and sensitivity of decisions appellant is required to make in carrying out department and program objectives, and the high level of independence she exercises in making such decisions. Indeed, appellant's position description notes in the very beginning that the appellant represents the chairperson and director at all times and acts on their behalf during their absence or unavailability.¹ In addition, the record is undisputed that appellant's responsibilities with respect to the Department, Center and Seminar impact across university, state and national lines, involving both public and private institutions and organizations. Contrary to respondent's assertions, appellant does not have strict guidelines and procedures governing her actions but exercises flexibility and discretion in seeking out solutions to problems from a variety of sources and alternatives. Finally, the record is clear that the program areas for which appellant is responsible are greater in scope and accountability than those required of a Program Assistant 1 which are more clerical and administrative in nature.

¹ Appellant Exhibit 11 indicates these absences are quite frequent.

Likewise, the Commission rejects respondent's contention that appellant's primary role in the Department is to coordinate the clerical functions associated with an academic department. Appellant does coordinate all of the Department's clerical functions. However, as noted above, appellant's primary duties and responsibilities are administrative and programmatic in nature. She performs all or most of the duties listed under "work examples" for a Program Assistant 2. She has been delegated a great deal of independence and authority in carrying out these activities. The Department's Middle Level Teacher Education Program, including the Transescent Seminar, has grown tremendously under the direction of the Department Chair, Robert Shockley. State and national recognition of this program is reflected in terms of increased teacher/administrator participation from throughout the state and country, growth in income produced and requests for instruction, materials, advice and information. Appellant coordinates these programs, and makes decisions, subject to Robert Shockley's final approval. Although appellant always knows where Shockley is, and can get in touch with him if necessary, she acts on his behalf during his frequent absences from the campus.

Respondent also disputes appellant's use of comparison positions to support her classification at a higher level. In this regard respondent initially attacks the testimony of Deborah Laurel, appellant's expert witness (who helped develop the job specifications for the clerical and related survey), who attempted to establish a comparison between appellant's position and the position description of several PA 2's and PA 3's. Laurel pulled position descriptions for other employes from the Department of Employment Relations' files. She talked to three of the incumbents by phone to ask them questions about their position. She then

compared appellant's position to these other positions based on a number of factors, and concluded that appellant's position should be classified at a higher level. Although the Commission agrees with respondent that there might be a more thorough way of making these comparisons, i.e., on-the-job audit, interviewing the supervisors of the positions, etc. the Commission does not agree that the record evidence is insufficient for making classification decisions regarding appellant's appeal.

Respondent further attacks Deborah Laurel's methodology because her "testimony regarding these positions contained several factual errors, and failed to take into account a number of significant factors about the positions. This additional information, once brought to light, shows the inutility of these comparisons." Respondent cites this additional information in its arguments in pages 7 (bottom) through 9 (top) of its brief. However, most² of the information relied upon by respondent therein is not in the record and will not be considered by the Commission in reaching its decision.³

A conclusion that a appellant is better classified as a PA 2 is also supported by comparison of her position with other PA 2's contained in the

² The only factual information relied upon by the respondent in said arguments which is in the record and will be considered by the Commission in deciding this case is the following:

- a. Linda Neusen works for two departments within UW-Extension, Family Living and 4-H.
- b. Linda Refior supervises a half-time typist position which performs secretarial work for the department.
- c. Joan Reid works for the UW-Medical School, of which there is only one. (The Commission will take administrative notice of this fact.)

³ Respondent had the opportunity to present evidence and call rebuttal witnesses to refute Laurel's testimony on behalf of appellant but failed to do so.

record. Linda Neusen is a PA 2 working for two departments within UW-Extension, Family Living and 4-H. Both appellant and Neusen spend a majority of their work time on administrative and programmatic duties. Both have budgetary responsibilities. Both provide direction to clerical support positions. Both spend a small percentage of their time actually performing clerical/secretarial tasks and both interact with people and agencies from around the state and country.

Appellant's position also compares favorably with Linda Refior's PA 2 position at UW-Whitewater. Refior, like appellant, spends a majority of time on program and administrative tasks. She has budgetary responsibilities and supervises employes performing clerical and related duties. She spends only a small part of her time actually performing clerical/secretarial duties herself. She interviews and hires student employes. Like appellant, she works with the department's committee (in this case, the Curriculum Advisory Committee).⁴

Respondent further argues that the degree of change in appellant's position, involving the assignment of duties and responsibilities at a higher level, does not support appellant's reclassification. However, the record does not support a finding regarding same. Changes in appellant's position involved additional programmatic and administrative responsibility due to the addition of the Transescent Seminar, re-organization of the Department and the addition of the Center. Contrary to respondent's assertions, these changes altered the fundamental nature of the chief function of appellant's job, which was to provide clerical support to the faculty. Dr. Shockley testified, unrefuted by respondent, that after he

⁴ Appellant Exhibit 29.

took a look at the added responsibilities being thrust upon the Department he decided there needed to be some reallocation of responsibilities. His solution was to assign appellant broad authority to administer, coordinate and run the various programs under his control, subject to his final approval.

Finally, respondent argues that appellant's position compares favorably with other PA 1 positions within the UW System (respondent's exhibits Nos. 9, 10, 12 and 16). In particular, respondent cites its exhibit 16 as a "close comparison, since this job is, like appellant's located in a teacher education department, approximately the same size, and like appellant serves as the primary clerical support." However, there are some significant differences. Unlike appellant, Loris Akervik (the person in respondent exhibit 16) only works with teachers and administrators within a 50-mile radius of the UW-Eau Claire, and the impact of her work does not have statewide or national implications to the extent appellant's work does. Akervik also spends more of her time performing clerical/secretarial tasks. Her payroll and budget duties are not as extensive or responsible as appellant's. The record further indicates that she does not have as much independence or authority as appellant does in carrying out department programs.

Appellant feels that her position should be classified at the PA 3 level. Indeed, some of the duties she performs are found in the "work examples" listed for a PA 3.⁵ Also, some of the PA 3 positions relied upon

⁵ For example, preparation of budget information, overseeing the operation of the department and the clerical support, answering questions regarding the department's programs and performing various administrative tasks including, but not limited to, handling certain cash procedures, composing correspondence and setting up schedules.

by appellant to support her contention that she should be classified at that level appear, on their face, to be similar to appellant's position in terms of duties and responsibilities.⁶ However, other PA 3 positions cited by appellant in support of her position are too sketchy to draw any conclusions from.⁷ And other PA 3 positions relied upon by appellant clearly have duties assigned to them at the PA 3 level which appellant does not perform.⁸ Finally, the PA 3 class specifications state that positions allocated to this level "are delegated authority to exercise judgement and decision making along program lines that are governed by a variety of complex rules and regulations." The record does not support a finding that appellant exercises her judgment and decision making in such a manner.

Based on the foregoing, the Commission finds that the appellant has failed to sustain her burden of proof that respondent erred in failing to reclassify her position to a PA 3.

Based on all of the above, the Commission finds that the answer to the issue as stipulated to by the parties is YES, the respondents' decision to deny reclassification of the appellant's position from Program Assistant 1 to 3 was correct and should be affirmed. However, respondents' decision to deny reclassification of appellant's position to Program Assistant 2 was not correct and should be rejected.

⁶ Appellant Exhibit 34 (Mary Eichstaedt) and Appellant Exhibit 33 (Alice M. Roberts).

⁷ Appellant Exhibit 30 (Janet Lunda).

⁸ Appellant Exhibit 31 (Judy M. Patterson) and Appellant Exhibit 32 (Joan Theresa Reid).

ORDER

The respondents' reclassification decision is reversed and this matter is remanded to the respondent for action in accordance with the decision.

Dated: November 4, 1987 STATE PERSONNEL COMMISSION


DENNIS P. MCGILLIGAN, Chairperson


DONALD R. MURPHY, Commissioner

DPM:rcr
RCR01/3

ATTACHMENTS

Parties:

Jeanette Smart
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John Tries
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POSITION SUMMARY:

87-0009 T. J. ...
Interim J. 2

This position assists the Chairman of the Department of Teaching and Learning and the Director of Student Teaching and Internships. It demands the responsible coordination of the academic and professional activities of both offices requiring the performance of many varied tasks of moderate difficulty, some bordering on considerable difficulty, and functions under general supervision (university guidelines for the definitions of moderate or considerable difficulty and general supervision applied).

Tasks include those involved with the administration of the Department of Teaching and Learning and with the professional semester of the College of Education students. The position requires interpersonal work with students, professionals, public school administrators and faculty, other university departments, and the general public. With the numerous daily contacts which this office must make, this position is one relied upon for accuracy, promptness, politeness, and effective securing of data. In almost every such contact, university faculty members, university students, public school administrators and faculty are affected by decisions being made. This position handles all correspondence originating from both areas, including confidential matters relating to faculty members and students.

This position also provides program and clerical support to university supervisors of student teachers and four faculty members within the Department of Teaching and Learning or Audio Visual Education.

This position supervises six student employees (three clerical positions, two audio-visual lab assistants, and one computer lab assistant).

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Assistant to the Chairman of the Department of Teaching & Learning: (50%) Personnel Commission

- 20% A. Coordinate Admission Procedures to the Teacher Education Program for the College of Education
- A. 1 Determine the Acceptance/Rejection Status of Applications
 - Accept applications from students and screen for accuracy and thoroughness
 - Request and review copies of student's transcripts to determine their status by applying College of Education criteria for admission to Teacher Education
 - A. 2 Process the Accepted/Rejected Applications
 - Provide students not meeting minimum requirements and their academic advisors with information necessary to meet requirements
 - Establish and maintain file of incomplete or rejected applications for re-evaluation
 - Submit the names of students meeting academic requirements to university faculty for official comment
 - Submit the names of students meeting academic and recommendation requirements to Teacher Education Committee
 - Inform students and university faculty of the action taken by the Teacher Education Committee
 - A. 3 Maintain Student Records
 - Create a file on each student applying for admission to Teacher Education and maintain extensive records as long as the student remains within the College of Education
 - A. 4 Coordinate Administration of Writing Proficiency Requirement for Admission to the Teacher Education Program
 - Schedule testing areas
 - Ensure proctors have been obtained
 - Select questions from provided pool and organize packets for distribution to proctors
 - Inform students, faculty, and media of examination dates and times

A. 5 Determine Acceptance/Rejection of Exercises

- Distribute to and collect exercises from reading committees
- Set date for return of exercises from committees
- Review results and notify students
- Refer unacceptable exercises to academic advisors
- Set date for return of exercises from advisors

A. 6 Maintain Extensive Records of Procedure

- Date and time examination was taken
- Monitor movements of writing proficiency exercises
- Post committee results
- Post referrals made and results of referrals
- Ensure return of exercises referred to advisors

✓ A. 7 Liaison of Teacher Education Committee

- Notify Teacher Education Committee and media of scheduled meeting dates and times
- Provide statistical reports to Teacher Education Committee regarding problem areas in the acceptance process
- Notify Teacher Education Committee of concerns or problems communicated from other university departments
- Provide information and answer questions from students, faculty and other university departments about Teacher Education Committee guidelines and procedures
- Note procedures in need of revision and suggest ideas for change

20% B. Manage the Office of the Chairman of the Department of Teaching and Learning

B. 1 Evaluation Summaries

- Collect and summarize student evaluations of faculty for submission to department chairman
- Collect and summarize peer evaluations of department chairman
- Type and assemble recommendations for RST Committees

B. 2 Develop and Maintain Departmental File for Graduate Students Completing a Master of Science in Education Degree

- Coordinate comprehensive examinations for graduate students in the College of Education each fall semester

B. 3 Maintain Complete Records of All Grade Reports for Each Class Offered in the Department of Teaching and Learning

- Notify students earning a D/F in required professional education classes of the College of Education requirement of C's or better for certification

B. 4 Maintain Security of All Student Records

B. 5 Maintain Enrollment Statistics for Classes Offered Within the Department of Teaching and Learning

B. 6 Coordinate Travel for Department of Teaching and Learning Faculty

- Calculate, code, and prepare travel expense reports
- Determine appropriate mileage reimbursement rate for use of personal vehicle and ensure receipt of non-availability slip
- Verify expenditures are within university guidelines
- Secure documentation of expenses in accordance with university guidelines
- Reserve university vehicles and authorize utilization of the Department of Teaching and Learning account code

B. 7 Coordinate Departmental Purchases from University Stores and Private Vendors (4200)

- Locate vendors to supply requested materials and obtain the best price according to university guidelines
- Prepare purchase requisitions with appropriate coding
- Maintain records of supplies/equipment ordered and received (follow up on orders not received and items on back order)
- Verify invoices and authorize payment
- Authorize payment of direct charges
- Maintain inventory of department's capital equipment
- Purchase and maintain stock of office supplies
- Recommend major purchases of needed equipment and supplies, compile cost information and submit to chairman for approval

- B. 8 Budget Maintenance
 - Maintain file of monthly budget printouts
 - Verify expenditures against department records
 - Reconcile department telephone chargebacks
 - Reconcile department car fleet chargebacks
- B. 9 Promotion of College Education Programs
 - Maintain a congenial relationship with the university Admissions and High School Relations Departments
 - Coordinate visits of prospective students with departmental faculty
 - Contact (by correspondence) all students appearing on the "Dean's Write Lists" or sheets provided by the office of High School Relations expressing an interest in elementary education
 - Route all secondary education lists to the appropriate departments
- B.10 Function as Liaison Between Chairman, Students, Faculty, Other University Departments and the General Public
 - Greet and screen callers, via telephone and in person, exercising good judgement of the duties of the chairman's position in relation to others in the college as to whether the chairman is the appropriate individual for the caller to see or to talk to; use tact in suggesting an alternative.
 - Exercise care to ensure the caller is not referred to an inappropriate destination; use the safeguard of a precautionary telephone call if there is doubt
 - Schedule appointments
 - Determine from various sources (faculty bulletins, minutes, etc.) other appointments, such as meetings, conferences, etc., and enter on calendar
 - Reschedule/cancel appointments when unavoidable conflicts occur; notify those concerned
- B.11 Provide Functional Backup in the Absence of Department Chairman
 - Screen inquiries to determine correct course of action. Provide assistance when possible or refer to another member of the college in a position to provide assistance.
 - Maintain a log of inquiries requiring the chairman's attention for action upon his return
- B.12 Supervision of Student Clerical Employees
 - Advertise, interview, employ/dismiss, authorize payroll, develop work schedules and assign duties of two student employees
 - Train in office procedures and monitor quality of work performed
 - Reconcile student employee budget
- B.13 Clerical Support of Department Chairman
 - Prepare and supervise duplication and distribution of informational materials, publications, agendas, minutes, general correspondence, class schedules and textbook requests
 - Maintain files of agendas, minutes, general correspondence, class schedules, and textbook requests
- B.14 Program Support
 - Prepare and supervise duplication and collation of classroom material for department chairman and three other faculty members
 - Proctor examinations upon request (for entire department faculty), frequent makeup examinations are handled by this position
 - Supervise photo copy requests of department faculty. Determine if request is within department recommendations for the use of photo copies or if an alternative method should be tactfully suggested
 - Distribute department rosters
 - Supervise payroll authorization and work schedule for student computer lab consultant

- 9% C. Computerization of Departmental Records
- C. 1 Develop and Implement Workable System of Storing and Retrieving Data With the Use of Integrated Software or Programming Into Software
 - C. 2 Review, Evaluate and Recommend the Purchase of Computer Software and Hardware

C. 3 Provide Information or Assistance by Answering Questions and Demonstrating Procedures to Classified Staff, Faculty, and Academic Staff Within and Outside the College of Education

C. 4 Attend Classes, Seminars, and Demonstrations

1% D. Program Support for Audio-Visual Education

D. 1 Supervision of Sale of Lab Cards to All Members of Educational Media Classes

- Collect fees, reconcile account and make deposit to university business office (Must Be Totally Accurate)
- Coordinate with faculty visits to classroom for sale of lab cards
- Set times for sale of lab cards outside of class

D. 2 Maintain Security of Laboratory, Laboratory Supplies, and Equipment

D. 3 Coordinate Purchases from University Stores and Private Vendors (4100)

- Locate vendors to supply requested materials and obtain the best price according to university guidelines
- Prepare purchase requisitions with appropriate coding
- Maintain records of supplies/equipment ordered and received
- Maintain inventory of department's capital equipment
- Recommend the purchase of major equipment and supplies, compile cost information and submit to chairman for inclusion in budget request

D. 4 Program Support

- Proctor examinations upon request
- Provide clerical support for two faculty members
- Supervise payroll authorizations and work schedules for two student lab assistants
- Reconcile student employee budget

Assistant to the Director of Student Teaching and Internships: (50%)

16% A. Supervision of Assignments for Professional Semester Placements (student teaching, internship, residency-undergraduate, graduate)

A. 1 Submit Written Requests for Professional Semester Placements and Inservice Dates to Public School District Administrators

- Communicate in writing and via telephone with public school administrators to obtain needed approvals or inservice information
- Approve changes when possible. Refer to director when necessary
- Answer questions and provide student information upon request

A. 2 Develop and Maintain Extensive Records of Responses

- Provide director with report of non-response, denials, requested changes or problems

A. 3 Coordinate Changes and Cancellations of Assignments (Must Be Totally Accurate)

- Maintain Extensive Records of All Changes and Cancellations

A. 4 Supervision of Notification

- Provide university supervisors with lists of their supervision assignments
- Notify students of assignment locations and dates, inservice dates, names of their university supervisor(s) and cooperating teacher(s)
- Notify school districts, cooperating teachers, students, and university supervisors of changes in assignments or cancellations
- Provide students with information packets and handbooks
- Provide cooperating teachers with information packets and handbooks

A. 5 Coordinate Travel of University Supervisors

- Communicate with schools and cooperating teachers to coordinate visits of university supervisors
- Reserve university vehicles and authorize use of student teaching account
- Calculate and prepare travel expense reports for university supervisors of student teachers
- Code with appropriate account and class codes

- Determine appropriate mileage reimbursement rate for use of personal vehicles and ensure receipt of non-availability slips
- Verify food and miscellaneous expenses are within university guidelines
- Submit to director for signature
- A. 6 Supervision of Evaluation Reports
 - Coordinate distribution of evaluation report forms and pertinent information to university supervisors of student teachers or interns and cooperating teachers of participation students
 - Provide university supervisors with deadlines for return of completed forms, and information on completing the forms for distribution to cooperating teachers
 - Distribute the above information direct to cooperating teachers of students in participation assignments
- A. 7 Maintain Extensive Records on Evaluation Reports
 - Ensure receipt of evaluation form for each student
 - Verify signatures of cooperating teachers and university supervisors upon receipt
 - Provide university supervisors with copy of completed evaluation form
 - Route completed evaluation to university Teacher Placement Office
 - Notify university supervisors and director of missing evaluation forms
- A. 8 Provide Director With Report of Grades for Submission to Registrar's Office
- A. 9 Maintain Security of Student Records at All Times
- A.10 Supervision of the Student Teaching Payroll (Must be Totally Accurate)
 - Develop and verify payroll report of cooperating teachers, participation assignments, micro-teaching experiences, and practicum assignments
 - Reconcile payroll with student teaching records of placements
 - Correspond in writing with school districts to verify placements and district policy on payment by invoice or payment to individual cooperating teachers
 - Communicate in writing or via telephone with school district administrators regarding discrepancies
 - Distribute W-4 and Critic Teacher Forms to cooperating teachers from districts authorizing direct payment to individuals
 - Verify receipt and accuracy of individual payroll forms, authorize payment
 - Verify receipt and accuracy of invoices from districts wishing payment made to the school district, submit to Director for signature
 - Maintain records of individual payments made and of payment of invoices to school districts
 - Maintain records of payments outstanding due to non-receipt of invoices from districts or non-receipt of payroll forms from individuals
 - Communicate in writing or via telephone to obtain necessary forms in order to include for payment with the payroll for the following semester

- 14% B. Coordinate Admission Procedures to the Professional Semester in the College of Education (student teaching, internship, residency-undergraduate and graduate)
- B. 1 Determine the Approved/Unapproved Status of Applications
 - Accept applications from students or Director and screen for thoroughness
 - Review teacher education records to determine if all requirements for admission have been met
 - Notify director of students not meeting minimum requirements for admission
 - B. 2 Process Approved/Unapproved Applications
 - Compose letters to provide students not meeting minimum requirements and their academic advisors with information necessary to meet minimum requirements
 - Establish extensive records on applicants and their admission status
 - Re-evaluate unapproved applications and ensure all applicants reach approved status before beginning a student teaching assignment
 - Submit approved applications to major and minor departments for official recommendation
 - Submit names of students meeting academic and official recommendation requirements to the Teacher Education Committee

- B. 3 Note Procedures in Need of Revision and Suggest Ideas for Change
- B. 4 Provide Information and Answer Questions from Students, Faculty, Other University Departments, and Public School Personnel About Professional Semester Guidelines and Procedures

10% C. Computerization of Program Records

- C. 1 Develop and Implement Workable System of Storing and Retrieving Data With the Use of Integrated Software or Programming Into Software
- C. 2 Review, Evaluate and Recommend the Purchase of Computer Software and Hardware

10% D. Manage Office Functions of the Director of Student Teaching and Internships (office is not adjacent to mine)

- D. 1 Function as Liaison Between Director of Student Teaching and The Teacher Education Committee, Students, School Districts, University Supervisors, Other University Departments, and the General Public
 - Greet and screen callers, via telephone and in person, exercising good judgement of the duties of the director's position in relation to others in the college as to whether the director is the appropriate individual for the caller to see or to talk to; use tact in suggesting an alternative
 - Exercise care to ensure the caller is not referred to an inappropriate destination; use the safeguard of a precautionary telephone call if there is doubt
 - Schedule appointments
 - Determine from various sources (faculty bulletins, minutes, etc.) other appointments, such as meetings, conferences, etc., and enter on calendar
 - Reschedule/cancel appointments when unavoidable conflicts occur; notify those concerned
- D. 2 Provide Functional Backup in Director's Absence
 - Accept inquiries from university personnel, students, public school administrators and faculty in relation to student teacher placements
 - Provide needed information
 - Approve changes when possible
 - Maintain log of inquiries requiring director's attention for action upon his return or upon contact by telephone
- D. 3 Coordinate Departmental Purchases from University Stores and Private Vendors (4225)
 - Locate vendors to supply requested materials and obtain the best price according to university guidelines
 - Prepare purchase requisitions with appropriate coding
 - Maintain records of supplies/equipment ordered and received (follow up on orders not received or items on back order)
 - Verify invoices and authorize payment
 - Authorize payment of direct charges
 - Maintain inventory of department's capital equipment
 - Purchase and maintain stock of office supplies
 - Recommend major purchases of needed equipment and supplies, compile cost information and submit to director for possible inclusion in budget request
- D. 4 Budget Maintenance
 - Maintain file of monthly budget printouts
 - Verify expenditures against department records
 - Reconcile department telephone chargebacks
 - Reconcile department car fleet chargebacks
- D. 5 Supervision of Student Clerical Employees
 - Advertise, interview, employ/dismiss, authorize payroll, develop work schedules and assign duties of one student employee
 - Train in office procedures and monitor quality of work performed
 - Reconcile student employee budget