

STATE OF WISCONSIN

PERSONNEL COMMISSION

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 JANET M. STOIKES,
 Appellant,
 v.
 Secretary, DEPARTMENT OF
 NATURAL RESOURCES and
 Secretary, DEPARTMENT OF
 EMPLOYMENT RELATIONS,
 Respondents.
 Case No. 87-0075-PC
 * * * * *

DECISION
AND
ORDER

NATURE OF THE CASE

This is an appeal from respondent DNR's decision denying the reclassification of the appellant's position from Tourist Information Assistant 1 to Tourist Information Assistant 2. At the prehearing conference held on June 18, 1987, before Dennis P. McGilligan, Chairperson, the parties agreed to the following issue:

Was the decision by respondent DNR to deny appellant's request for reclassification of her position from Tourist Information Assistant 1 to Tourist Information Assistant 2 correct?

Hearing in the matter was held on June 18, 1987, before Chairperson McGilligan. The parties completed their briefing schedule on November 5, 1987.

FINDINGS OF FACT

1. At all times material herein, the appellant has been employed in the classified civil service by the Department of Natural Resources at the Southern District Headquarters in Fitchburg as a Tourist Information Assistant 1.

2. The duties and responsibilities of appellant Stoikes' position are basically as set forth in the position description signed by appellant Stoikes on October 3, 1986, a copy of which is attached hereto and incorporated by reference as if fully set forth as a part of this finding.

3. The Tourist Information Assistant position standard provides, in relevant part, as follows:

Purpose of this Position Standard

A. This Position Standard is intended to be used for making classification decisions relative to present positions providing tourist information services while still being flexible enough to classify future positions which may involve different programs, program emphasis, and/or duties and responsibilities. This Position Standard will not specifically identify every eventuality or combination of duties and responsibilities of positions that currently exist or those that result from changing program emphasis in the future. Rather, it is designed to serve as a basic framework for classification decision making in this occupational area.

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.

E. Definition of Terms Used in this Standard

Terms that are used in conjunction with the above classification factors within this series are:

Lead Work	Responsibility to guide, train, assist and review the work of other employes.
Routine Difficulty	The work is usually repetitive and the employe works from detailed instructions. The difficulty is limited to accuracy and speed.
Moderate Difficulty	The employe is confronted with a variety of breadth of duties susceptible to different methods of solution which in turn places a correspondingly higher demand on resourcefulness. Supervisors of employes engaged in routine assignments, journey level personnel and paraprofessional employes usually perform work of moderate difficulty.
Immediate Supervision	The employe has very limited authority to select alternative work methods or to render independent judgments of any consequence. Each task is performed according to detailed instructions written or oral. Assignments may be of short duration and when completed are usually checked for accuracy and adherence to instructions and established regulations.

General Supervision	The employe usually receives general instructions with respect to the details of most assignments but is generally free to develop own work sequences within established procedures, methods and policies. The employe may be physically removed from the supervisor and subject to only systematic supervisory checks.
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II. CLASS DESCRIPTIONS

The following class descriptions for the various class levels within the Tourist Information 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.

Tourist Information Assistant 1 (PR2-06)

This is entry level public contact work of routine difficulty in one of the state's tourist information stations. Positions allocated to this class provide information to tourists in person or over the telephone, and answer questions concerning Wisconsin's recreational areas and opportunities. Work is performed under immediate supervisions.

Tourist Information Assistant 2 (PR2-07)

This is objective level public contact work of moderate difficulty in one of the state's tourist information stations. Positions allocated to this class provide information to tourists in person or over the telephone, and answer questions concerning Wisconsin's recreational areas and opportunities. Work at this level is differentiated from that at the 1 level on the basis of the variety, scope and provided complexity of information, as well as the degree of independence exercised. Work is performed under general supervision.

Tourist Information Assistant 1 - Work Examples

Greets tourists in person or by phone, answers questions, and dispenses information regarding state parks, resort areas, historical sites, camping and boating opportunities, scenic areas and other tourist attractions or points of interest.

Assists tourists in planning itineraries throughout the state, and provides information concerning highway routes and traffic laws.

Sells hunting and fishing licenses, park stickers, snowmobile and boat registrations, and provides information concerning hunting, fishing, boating, and camping regulations.

Tourist Information Assistant 2 - Work Examples

Greets tourists in person or by phone, answers questions and dispenses information regarding state parks, resort areas, historical sites, camping and boating opportunities, scenic areas and other tourist attractions or points of interest.

Assists tourists in planning itineraries throughout the state, and provides information concerning highway routes and traffic laws.

Sells hunting and fishing licenses, park stickers, snowmobile and boat registrations, and provides information concerning hunting, fishing, boating, and camping regulations.

Assists in preparing recreational research studies.

Keeps office records and makes reports.

Responds to mail requests for departmental brochures.

Prepares monthly summaries of the number and type of informational requests handled.

Researches information, when necessary.

Gathers and selects materials for new brochure releases.

Maintains inventory of handout materials.

Manages cash from license sales.

4. In a memorandum dated April 23, 1987, respondent DNR denied appellant's request for reclassification from Tourist Information Assistant 1 to Tourist Information Assistant 2. On May 21, 1987, appellant filed a timely appeal of this denial with the Commission.

5. Appellant's duties do not include developing itineraries, developing highway routes and describing resort areas on a statewide basis.

6. From a classification standpoint, the appellant's position is not at the same level as the following position which is classified as Tourist Information Assistant 2:

Christine G. Fitch currently occupies a position with this classification in respondent DNR's Southeast District Office in Milwaukee, Wisconsin. The Southeast District Office Information Center processed \$133,000 in license sales in 1986 to almost \$16,000 at the Southern District in the same year. Fitch is one of four employes in the Milwaukee office who handles these sales. Her

position involves mainly public contact work in the Information Center. Many tasks are performed which are similar to appellant's, including acting as receptionist for the office; acquiring, selling and remitting of licenses, stickers, stamps, etc; distributing information to the public by telephone, mail, and in person; substituting for the lead worker in that person's absence; and performing related duties. Fitch's work is performed under the direction of a lead worker, who outlines procedures and guidelines. Fitch routinely provides information on all the state's parks and recreation areas to the public. She helps develop itineraries and highway routes for people using this information. She sometimes must use interpreters to assist Spanish-speaking tourists. She sometimes provides information to people attending conventions in Milwaukee.

7. The duties and responsibilities of appellant's position are more accurately described by the class specifications for Tourist Information Assistant 1 and appellant's position is more appropriately classified as Tourist Information Assistant 1.

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 respondent DNR's decision denying reclassification of her position was incorrect.

3. The appellant has not sustained her burden.

4. Respondent DNR's decision to deny the request for reclassification of the appellant's position was not incorrect.

DECISION

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

According to the class specifications, positions allocated to the Tourist Information Assistant 2 level are distinguished from the Tourist Information Assistant 1 level based on "the variety, scope and provided complexity of information, as well as the degree of independence exercised." Positions allocated to the Tourist Information Assistant 1 level do "public contact work of routine difficulty" while positions allocated to the Tourist Information Assistant 2 level do the same work but of "moderate difficulty." (emphasis added) Work performed at the Tourist Information Assistant 1 level is performed under immediate supervision while work performed at the higher level is under general supervision.

Applying the above standards in the instant case, the Commission finds that appellant's position is more appropriately classified at the Tourist Information Assistant 1 level. In this regard, the record indicates that appellant basically provides information to the public regarding recreational opportunities such as camping, hunting, fishing, boating, snowmobiling, state parks, historical sites, scenic areas and other programs under respondent DNR's authority. However, while appellant performs many of the duties described at the Tourist Information Assistant 2 level in providing the aforesaid information, this work is limited in scope. For example, appellant generally provides information pertaining to localized camping, hunting, fishing and boating opportunities. She does not

routinely prepare itineraries, develop highway routes, and describe resort areas on a statewide basis. These duties are listed at the Tourist Information Assistant 2 level and often entail the provision of information which may be more complex and detailed in nature than information provided at the lower classification level.¹

Appellant's tourist information duties are limited in volume as well. For example, the Southeast District Office (Milwaukee) Information Center processed \$133,000 in license sales in 1986 to almost \$16,000 at the Southern District in the same year. While four people sell and process licenses in the Milwaukee office, appellant alone processed almost \$16,000 at years end in 1986. Nevertheless, individuals in the Milwaukee office like Christine Fitch, a Tourist Information Assistant 2, sell and process much more in license sales than appellant.

Appellant's duties in comparison to the Milwaukee office are limited with respect to variety as well. In this respect, the record indicates that in the Milwaukee office, unlike appellant's office, employees have to deal with a wider range of issues and services such as using an interpreter to provide information to Spanish-speaking tourists, responding to convention attendants' need for information and providing information on all the state's parks and recreation areas to the public on a routine basis.

In view of the foregoing; namely, the limited variety, scope and complexity of information provided and duties performed, appellant is more appropriately classified at the Tourist Information Assistant 1 level.

¹ For example, a Tourist Information Assistant 2 in the Southeast District office typically (at least more often than appellant) will receive a call from an out-of-state person wanting to camp in a wilderness area in northern Wisconsin. That Tourist Information Assistant must be able to direct this person to an appropriate wilderness area over routes avoiding road construction etc. This is more difficult than simply directing someone to the nearest lake in the same geographical area.

A conclusion that appellant's position is better classified at the Tourist Information Assistant 1 level is consistent with respondent DNR's allocation of Christine G. Fitch's position in Milwaukee at the Tourist Information Assistant 2 level. In this regard the record indicates that Fitch, unlike appellant, routinely provides information to the public on all the state's parks and recreation areas; helps develop itineraries and highway routes (requiring a knowledge of DOT construction and other obstacles) for people traveling to these destinations; provides information to convention goers; uses an interpreter in providing information; spends almost all of her time in contact with the public and processes more license sales.

Appellant has picked up a number of program responsibilities since her position was last reviewed. Contrary to respondent DNR's contention, the Tourist Information Assistant position standard is broad enough to consider these changes in making classification decisions.² Nor does the class description for Tourist Information Assistant 2 require "constant direct public contact" as alleged by respondent DNR. Nevertheless, appellant has not met her burden of proof that these program duties are performed in sufficient quantity and at such a level to warrant reclassification at the Tourist Information Assistant 2 level.

Based on all of the foregoing, the Commission finds that the answer to the issue as stipulated to by the parties is YES, respondent DNR's decision

² The purpose of a position standard is stated in Finding of Fact 3 as follows:

"is intended to be used for making classification decisions relative to present positions providing tourist information services while still being flexible enough to classify future positions which may involve different programs, program emphasis, and/or duties and responsibilities." (emphasis added)

to deny appellant's request for reclassification of her position from Tourist Information Assistant 1 to Tourist Information Assistant 2 was correct.

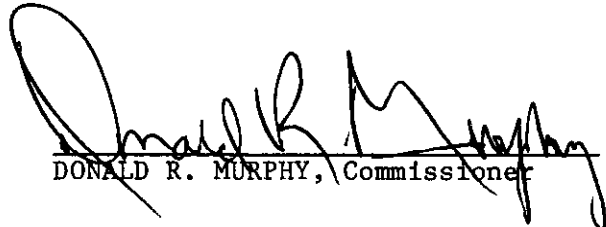
ORDER

Respondent DNR's classification decision is affirmed and the appellant's appeal is dismissed.

Dated: January 13, 1988 STATE PERSONNEL COMMISSION

DPM:jmf
JMF07/2

Attachment


DONALD R. MURPHY, Commissioner


LAURIE R. McCALLUM, Commissioner

Parties:

Janet M. Stoikes
122 Stone Ridge Court
Verona, WI 53593

Carrol Besadny
Secretary, DNR
P. O. Box 7921
Madison, WI 53707

John Tries
Secretary, DER
P. O. Box 7855
Madison, WI 53707

860273

DESCRIPTION

10 (Rev. 5-84)

Wisconsin Department of Employment Relations

1. Position No. 001794	2. Cert/Reclass Request No. 860273	3. Agency No. 370
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4. NAME OF EMPLOYEE

5. DEPARTMENT, UNIT, WORK ADDRESS

Janet M. Stolkes

Department of Natural Resources
Southern District Headquarters
3911 Fish Hatchery Road
Fitchburg, WI 53711

Jt. 2

6. CLASSIFICATION TITLE OF POSITION

Tourist Information Assistant 2 I

8. NAME AND CLASS OF FORMER INCUMBENT

9. AGENCY WORKING TITLE OF POSITION

10. NAME AND CLASS OF EMPLOYEES PERFORMING SIMILAR DUTIES

Lead Receptionist - Information Desk

12. FROM APPROXIMATELY WHAT DATE HAS THE EMPLOYEE PERFORMED THE WORK DESCRIBED BELOW?

Jeanice Harrington, Pro. Asst. Supv. 2

October 1985

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

RECEIVED

14. POSITION SUMMARY - PLEASE DESCRIBE BELOW THE MAJOR GOALS OF THIS POSITION:

See attached page.

AUG 13 1987

Personnel Commission

15. DESCRIBE THE GOALS AND WORKER ACTIVITIES OF THIS POSITION (Please see sample format and instructions on back of last page.)

- GOALS: Describe the major achievements, outputs, or results. List them in descending order of importance.
- WORKER ACTIVITIES. Under each goal, list the worker activities performed to meet that goal.
- TIME %: Include for goals and major worker activities.

(Continue on attached sheets)

TIME %

GOALS AND WORKER ACTIVITIES

See attached pages.

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

- a. The supervision, direction, and review given to the work of this position is [] close [] limited [] general.
- b. The statements and time estimates above and on attachments accurately describe the work assigned to the position. (Please initial and date attachments.)

Signature of first-line supervisor: Jeanice A. Harrington Date: 10-3-86

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

I have read and understand that the statements and time estimates above and on attachments are a description of the functions assigned my position. (Please initial and date attachments.)

Signature of employee: Janet M. Stolkes Date: 10-3-86

18. Signature of Personnel Manager: Paul J. [Signature] Date: [Blank]

urist Information Assistant 2

No. 14 Position Summary:

Lead receptionist and public contact work in the Southern District Headquarters. The variety of tasks performed include distribution of information to the public by telephone and in person, coordination of receptionist duties, and sale of DNR hunting and fishing licenses and park stickers.

No. 15 Goals and Worker Activities:

Time % Goals and Worker Activities

- 30% A. Distribution of information to the public by telephone and in person
- A.1 Collect and responsible for updating materials used by reception area personnel to adequately respond to written, personal, and telephone requests. Obtain informational brochures from other state and federal agencies. Order material and supplies to maintain adequate supply to meet demand.
 - A.2 Responsible for ordering and obtaining department forms, applications, and publications, Department of Development travel brochures, and information from other sources which are necessary for efficient operation and to meet needs of the public.
 - A.3 Maintain inventory of handout material for use in District office, Area offices, and field stations.
 - A.4 Greet office callers in person and by telephone to answer questions and dispense information regarding state parks, historical sites, scenic areas, fishing, hunting, wildlife management, camping, boating, snowmobiling, air and water pollution, forestry, law enforcement, research programs, and educational programs under the DNR responsibility.
 - A.5 Respond to requests for information, select appropriate pamphlets, brochures, applications, etc. Gather and keep current information and select proper materials from news releases, newspapers clippings, department information brochures, and other department publications to respond to such requests.
- 30% B. Coordination of Receptionist Duties
- B.1 Lead receptionist for telephone system for district, research, and forestry professional staff.
 - B.2 Maintain familiarity with the specific functions of each discipline and personnel for proper referral of questions. This requires knowledge of all department activities, regulations, policies and procedures on a state-wide basis as well as a thorough knowledge of the program responsibilities of all personnel with the district headquarters. Catalog information and update information files. Research the answers to frequently asked questions.

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- B.3 Responsible for training and providing current information to assa. receptionists.
 - B.4 Schedule conference rooms for inhouse and external groups.
 - B.5 Schedule conference phone and set up equipment for such calls.
 - B.6 Maintain daily itinerary schedules for all personnel.
 - B.7 Maintain log for University of Wisconsin parking permit for staff use.
 - B.8 Coordinate air flights with pilot for Southern District personnel.
- 20% C. Sale of Department of Natural Resources hunting and fishing licenses and park stickers.
- C.1 Sell and responsible for department hunting and fishing licenses, waterfowl and trout stamps, senior citizens cards, ginseng licenses, wild rice licenses, duplicate licenses, park stickers, issue pheasant and sturgeon tags.
 - C.2 Accountable for fees collected through the sale of licenses and park stickers. Make bank deposits of monies collected. Keep bank checking account current. Remit sold licenses and return unsold licenses to Department license section, and maintain records according Check inventory printout monthly for correspondence with remittance records.
 - C.3 Sell and keep accounting records for sale of department books and pamphlets.
 - C.4 Answer requests in person or by telephone on all types of licenses issued and regulations governing such licenses.
 - C.5 Assist public in filling out snowmobile, boat, and all-terrain-vehicle registration forms.
 - C.6 Issue duplicate decals for snowmobiles and boats. Remit monies.
- 15% D. Production of Typed Copy
- D.1 Type invoice vouchers, purchase orders, memorandum transfers, and contingent fund checks and vouchers.
 - D.2 Type letter and memos from longhand drafts.
 - D.3 Type information on forms, lists, envelopes, and labels.
- 5% E. Miscellaneous Activities
- E.1 Issue duplicate safety programs certificates after verifying information from microfiche.
 - E.2 Keep current records of safety program classes, dates scheduled, fees, time periods, and other requirements.

- E.3 Receive and complete radio repair reports from Southern and Southeast District properties and law enforcement personnel for communications technician.
- E.4 Maintain schedule for aquatic nuisance supervisor.
- E.5 Case file for community services coordinator.
- E.6 Daily update and telephone record report of air quality in Madison.
- E.7 Notary public.
- E.8 Assist in mailroom in absence of assigned mail person. ✓
- E.9 Operate photocopy machines.