

STATE OF WISCONSIN

PERSONNEL COMMISSION

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 *
 COLLEEN D. HELLENBRAND, *
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 Appellant, *
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 v. *
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 Secretary, DEPARTMENT OF *
 NATURAL RESOURCES, and *
 Secretary, DEPARTMENT OF *
 EMPLOYMENT RELATIONS, *
 *
 Respondents. *
 *
 Case No. 87-0188-PC *
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 * * * * *

DECISION
AND
ORDER

NATURE OF THE CASE

This is an appeal from respondents' decision denying the reclassification of the appellant's position from Clerical Assistant 2 to Program Assistant 1. At the prehearing conference held on November 16, 1987, before Dennis P. McGilligan, Chairperson, the parties agreed to the following issue for hearing:

Whether the decision of respondent DNR to deny reclassification of appellant's position from Clerical Assistant 2 to Program Assistant 1 was correct?

Hearing in the matter was held on February 2, 1988 before Dennis P. McGilligan, Chairperson. The parties did not file written arguments.

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 (DNR) as a Clerical Assistant 2 in the Bureau of Solid Waste Management.

2. The duties and responsibilities of appellant Hellenbrand's position are basically as set forth in the position description dated

December 15, 1985, a copy of which is attached hereto and incorporated by reference as if fully set forth as a part of this finding.

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

CLERICAL ASSISTANT 2

This is lead and/or advanced clerical work of moderate difficulty in completing a variety of assigned clerical tasks consistent with established policies and procedures. Positions allocated to this level have some freedom of selection or choice among learned things, which generally follow a well-defined pattern. However, positions at this level are distinguished from the Program Assistant 1 level by the limited degree of personal or procedural control over the nature and scope of the tasks which they perform. The variety and complexity of decisions made at this level are limited. Positions may function as lead workers, directing lower-level positions as well as performing a variety of the more complex clerical operations. Receptionist positions which serve in an informative capacity as the primary or sole public contact for a state facility(s) are allocated to this level. A variety of secretarial functions may be incidentally performed for the professional staff for a small percentage of the time. Work is performed under general supervision.

CLERICAL ASSISTANT 2 - WORK EXAMPLES

Plans, assigns, and guides the activities of a unit engaged in a variety of clerical tasks.

Performs a variety of complex clerical tasks necessary for the smooth operation of the unit, such as: procurement of services, supplies, and equipment; setting up the task at hand in order to expedite completion by other clerical help; coordinating clerical work, such as recordkeeping, coding, filing, etc.

Performs basic intake interviews in medical or correctional facilities.

Functions as a receptionist greeting the public, screening, and directing visitors, answering telephones, and receiving and dispensing a variety of information.

Collects, arranges, complies, tabulates, and summarizes numerical data.

Consolidates, separates, transfers, records, copies, plots, and diagrams numerical data according to instructions outlined by supervisors.

Makes computations and calculations primarily through the use of machines, such as calculating percentages, ratios, or averages which involve basic mathematical techniques.

Reviews and marks printers' proofs for omissions, typographical errors, misspelled words, and use of incorrect type in heads, titled, footnotes, captions, or text.

Keeps records and makes reports.

Maintains inventories and orders supplies as needed.

Provides assistance in a copy center; acts as cashier; trains and guides student help; keeps records of meter readings; and prepares statistical reports.

Screens calls, refers visitors, maintains schedules and agendas, pulls records, answers questions, and performs other related duties.

Keeps simple appropriation and allotment accounts not requiring bookkeeping training.

Prepares, subject to review, budget estimates or annual reports for a small organization unit.

Operates communication equipment to provide messages and emergency center services for multi-governmental jurisdictions.

4. The Program Assistant position standard provides, in relevant part, as follows:

PROGRAM ASSISTANT 1

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 the 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 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 capitol 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.

5. In a memorandum dated October 9, 1987, the respondent DNR denied appellant's request for reclassification from Clerical Assistant 2 to Program Assistant 1. On October 29, 1987, appellant filed a timely appeal of this denial with the Commission.

6. Appellant's duties have changed during her employment as a Clerical Assistant 2 with respondent DNR. Additional duties include the addition of an automated Preprinted Timesheet System which involves preparing and scheduling file maintenance runs and editing computer output for machine or system errors and the addition of a computerized Guidance Notebook System which involves verifying information, seeking approval, assignment of document numbers, computer input and training of Bureau and District staff in proper use of handbook. Appellant also performs her duties more independently now that she has gained additional knowledge of the Solid Waste Program.

7. Appellant is not the legal custodian of the files she works on and does not make decisions on open records, Freedom of Information requests, etc. She also does not make decisions on which matters go in confidential files; these matters are given to her to put into confidential files with the decision already made.

8. From a classification standpoint, the appellant's position is at a lower level than the following positions which are classified in the Program Assistant series:

a. Arloween R. Oyan occupies a position classified as a Program Assistant 3 with the working title of Records Officer in the Central Files, Program Services, Department of Natural Resources. 70% of her

time is spent in the management of the DNR Central Office Files. These duties include daily review of 200-400 incoming files; destruction/purging of records; research and dissemination of information of DNR historical material, DNR Board minutes etc.; coordination of department file policies and procedures and recommendations regarding maintenance and development of departmental records and maintenance of the Administrative Code, handbooks, manual codes, legal hearing transcripts, workman's compensation files, Bureau of Aids case files, card file on lakes and streams etc. 30% of her time is spent coordinating DNR/State Record Center Services.

b. An unfilled Program Assistant 1 position in the Department of Health and Social Services, Division of Community Services, Bureau of Management and Budget with a working title of Client File Coordinator. (Appellant Exhibit 10). According to the position description 75% of the position's time is spent in the coordination and maintenance of the Division of Community Client files. Duties include inspecting incoming mail for client-related material; coordinating process for receipt, establishment and handling of files with county Departments of Social Services, Bureau of Economic Assistance staff and the Office of Administrative Hearings & Rules; advising staff regarding proper policies, regulations and procedures for file operations; and maintenance of check-out system, client cross reference card index system and Client File Index. 25% of the time is spent providing assistance to DCS Records Management Program.

9. The duties and responsibilities of appellant's position are more accurately described by the class specifications for a Clerical Assistant 2 and appellant's position is more appropriately classified as a Clerical 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 respondent's decision denying reclassification of her position was incorrect.

3. The appellant has not sustained her burden.

4. The respondent'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 Clerical Assistant 2 or a Program Assistant 1. In order for appellant to prevail, Hellenbrand must satisfy her burden of proving that her position meets the Program Assistant 1 definition and is more properly classified in that classification.

According to the class specifications, positions allocated to the Clerical Assistant 2 level complete a variety of assigned advanced clerical tasks consistent with established policies and procedures. There is some freedom of selection or choice, generally along well-defined patterns. Positions at the Clerical Assistant 2 level are distinguished from the Program Assistant 1 level by the limited degree of personal or procedural control over the nature and scope of the tasks which they perform. In contrast, the Program Assistant 1 class specifications indicate that "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."

Applying the above standards in the instant case, the Commission finds that appellant's position is more appropriately classified at the Clerical Assistant 2 level. In this regard, the record indicates that while appellant performs some duties identified in the Program Assistant 1 level, i.e. duties regarding the automated Preprinted Timesheet System and the computerized Guidance Notebook System identified in Finding of Fact 6, they are not performed a sufficient percent of the time to impact upon the classification. Also while appellant performs her duties more independently, particularly in the Solid Waste program, the scope and complexity of her problem-solving and the degree of personal and/or procedural control over her duties remain somewhat limited. (Appellant primarily maintains the files for Solid Waste and hazardous material in her bureau and while she has some flexibility with respect to carrying out her responsibilities she generally operates within established policies and procedures.) Noteworthy is the fact that appellant is not the legal custodian of the files she maintains and does not make decisions regarding confidentiality and open records requests.

This conclusion is consistent with position comparisons. Arloween R. Oyan, a Program Assistant 3 at DNR, is in charge of records for an entire Department; is a department liaison with various boards, committees and other state agencies and makes decisions on retention. Most of her time, according to her position description, is spent on the actual management of the DNR Central Office files. Likewise although the Program Assistant 1 position at DHSS is sketchy and it is difficult to draw any conclusions from the position description it appears that said position spends a

considerable amount of time in the management of Division of Community Services Client files, liaison with other parties and coordinating policies and procedures regarding those files. Appellant did not offer any persuasive PA 1 positions comparable to hers.

Based on all of the foregoing; namely one, that appellant maintains files for a bureau as compared to a larger division or department; two, that appellant's duties and responsibilities are largely Clerical Assistant 2 in nature; three, that her position does not compare favorably to other positions classified at the Program Assistant 1 or 3 level similar to her position and four, the appealant failed to offer any persuasive comparable PA1 positions; the Commission finds that the answer to the issue as stipulated to by the parties is YES, the decision of respondent DNR to deny reclassification of appellant's position from Clerical Assistant 2 to Program Assistant 1 was correct.

ORDER

The respondent's classification decision is affirmed and the appellant's appeal is dismissed.

Dated: June 15, 1988 STATE PERSONNEL COMMISSION

DPM:rcr
RCR02/3


DONALD R. MURPHY, Commissioner


LAURIE R. McCALLUM, Commissioner

Parties:

Colleen D. Hellenbrand
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Sauk City, WI 53583

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

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

R#3

POSITION DESCRIPTION

DER-PERS-10 (Rev 1-78)
State of Wisconsin
Department of Employment Relations
DIVISION OF PERSONNEL

RECEIVED

1 Position No.	2 Cert/Reclass Request No	3 Agency No
	870039	

4. NAME OF EMPLOYEE

JAN 27 1988

5. DEPARTMENT, UNIT, WORK ADDRESS

Colleen Hellenbrand

Department of Natural Resources
Bureau of Solid Waste Management
101 S. Webster St.
Madison, WI 53703

6. CLASSIFICATION TITLE OF POSITION

Personnel
Commission

Program Assistant 1

7. CLASS TITLE OPTION (To be Filled Out By Personnel Office)

8. NAME AND CLASS OF FORMER INCUMBENT

9. AGENCY WORKING TITLE OF POSITION

10. NAME AND CLASS OF EMPLOYEES PERFORMING SIMILAR DUTIES

11. NAME AND CLASS OF FIRST-LINE SUPERVISOR

Chief, Systems Management Section

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

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

14. POSITION SUMMARY - PLEASE DESCRIBE BELOW THE MAJOR GOALS OF THIS POSITION
This is a responsible position in the Systems Management Section of the Bureau of Solid Waste Management. The major goals of this position are to act as file manager for the automated Preprinted Timesheet System and the Guidance Notebook Information System, which would include providing information management support and file maintenance on

(CONTINUED)

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
10%	A. Provide data management support for and file maintenance on the automated Preprinted Timesheet System. A1. Perform data control and file maintenance activities associated with the following: preparation and scheduling of Preprinted timesheet file maintenance runs; edit computer output and resolve data, machine, or system errors.

(CONTINUED)

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: Robert C. Fischer / pm Date: 12/15/85

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 _____ Date _____

18. Signature of Personnel Manager: Paul Swilling Date: 1-30-86

POSITION DESCRIPTION (Cont.)

both systems. The goals also include independently developing, maintaining, and improving the manual records management systems that support the Solid Waste Management Program.

TIME %

GOALS AND WORKER ACTIVITIES

- A2. Schedule the processing and distribution of Preprinted Timesheets.
 - A3. Provide technical assistance to Bureau personnel in the use and availability of Preprinted Timesheets.
 - A4. Recommend changes to the Section Chief, as maybe necessary, to maintain or upgrade the existing or related info-system.
 - A5. Prepare ad-hoc reports and/or special information as maybe necessary to analyze the operation and efficiency of the Preprinted Timesheet System.
- 10% B. Provide data management support for and file maintenance on the automated Guidance Notebook Information System.
- B1. Perform data control and file maintenance activities associated with the following: preparation and scheduling of Guidance Notebook file maintenance runs; edit computer output and resolve data, machine or system errors.
 - B2. Schedule the processing and distribution of Guidance Notebook reports.
 - B3. Provide technical assistance to the Bureau/District personnel in the use and availability of the guidance Notebook Information.
 - B4. Recommend changes to the Section Chief, as may be necessary, to maintain or upgrade the existing or related info-system.
 - B5. prepare ad-hoc reports and/or special information as maybe necessary to analyze the operation and efficiency of the Guidance Notebook System.
- 50% C. Independently develop, maintain and manager the records management systems that support the statewide Solid Waste Management Program.
- 18% C1. Statewide Master File Management (Case Correspondence - plan and county systems)

TIME % GOALS AND WORKERS ACTIVITIES

- a. File all correspondence, legal referrals and orders, feasibility and operational plan blueprints and all other related material submitted to the Bureau of Solid Waste Management.
- b. Create an active case file and corresponding plan file for each new entity entering the programs plan approval process.
- c. Upon plan approval or denial contact program engineers and hydrogeologists to assemble, date-stamp and file appropriate plans and reports.

10%

C2. Maintain the records management index library

- a. Create an index record for each new solid waste entity entering the programs plan approval process.
- b. Monitor and update the records in the library, i.e., name of facility, type of facility, license number, contact person and address, site location, engineer and/or hydrogeologist assigned, new submittals, approvals or denials.
- c. Monitor and update the one-time disposal index records and contact the appropriate program staff to follow-up on the project.
- d. Develop an automated index library (convert the manual index to a computer process).

41%

C3. Filing Systems Maintenance

- a. Independently conduct system studies that analyze filing system efficiency and make recommendations to improve operations, techniques or other systems affecting the filing systems.
- b. Independently analyze the need for and recommend the purchase of filing equipment, i.e., cabinets, plan files, map files.
- c. Maintain an inventory of filing system supplies.
- d. Purge the files and send materials purged to Central or State Records Center. Act as record retrieval liaison for off-site records.

1%

C4. Maintain License and Application File

TIME % GOALS AND WORKERS ACTIVITIES

- a. File all license application and license copies in the Active License/Application file of old applications and licenses to be file din respective case files.

17% C5. Hazardous Waste file Management - Statewide Program

- a. Create an active file for all new participants in the Hazardous Waste Management program.
- b. File all correspondence, legal statements, notification forms, spill program data and other related hazardous waste program materials sent to the Bureau of Solid Waste Management.

12% D. Information Distribution

- D1. Prepare and distribute, upon request, information derived from both Solid Waste Management Program manual and automated files. This activity often requires drafting of letters and developing billing statements for the requested information. Requests come from program personnel, inter- and -intra-departmental agencies, Legislators, members of the regulated community and the general public.
- D2. Upon request, duplicate or provide for the duplication of any records required to support legal actions involving the program.
- D3. provide record file availability to all persons who wish to review them on the premises.
- D4. Upon request, do a disk-to-disk transfer of information on the Water-Balance Program developed by the Bureau of Solid Waste, and make it available to the public.

5% E. Topographic Map and New Publications Management

- E1. Maintain a current list of all topographic maps used by the Bureau of Solid Waste Management.
- E2. Request copies of all newly published maps from the U.S. Geological Survey. Notify Bureau employees of the additions.
- E3. Upon receipt, distribute the "Wisconsin Mapping Bulletin" and "New Publications of the U.S. Geological Survey" to appropriate Bureau staff.
- E4. Order all publications requested by Bureau staff. This often requires research on price and availability, and coordination with the DNR librarian.

<u>TIME %</u>	<u>GOALS AND WORKERS ACTIVITIES</u>
2%	F. Execute other duties normally assigned to employees of the Systems Management Section. F1. Prepare progress and status reports on the above. F2. Perform required recordkeeping and time reporting duties.
1%	G. Act as Travel Coordinator for the Systems Management Section.
10%	H. Responsible for maintaining Air Management file systems. (This includes sorting and then filing materials in appropriate place.) On an on-going basis, file Bureau correspondence, both general and specific to facilities and monitoring sites.

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