

STATE OF WISCONSIN

PERSONNEL COMMISSION

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 *
 LOIS PATTERSON, *
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 Appellant, *
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 v. *
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 Secretary, DEPARTMENT OF *
 EMPLOYMENT RELATIONS, *
 *
 Respondent. *
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 Case No. 87-0212-PC *
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 * * * * *

DECISION
AND
ORDER

NATURE OF THE CASE

1. This is an appeal of respondent's decision to deny appellant's request for the reclassification of her position. A hearing was held on February 17, 1988, before Laurie R. McCallum, Commissioner.

FINDINGS OF FACT

1. At all times relevant to this matter, appellant has been employed by the University of Wisconsin-Whitewater in a classified position in the Continuing Education and Outreach program.

2. In 1982, appellant's position was reclassified from a Program Assistant 3 to an Educational Services Intern based primarily upon the position's increased authority and accountability.

3. In December of 1984, appellant's position was reclassified to the Educational Services Assistant 1 (ESA 1) level based primarily upon:

- a) The transfer of more direct accounting responsibilities to the position as a result of UW-Extension's decentralization of programs and operations; and

b) An increase in the size and scope of the Continuing Education Program.

4. At the time of the December, 1984, reclassification of appellant's position, the duties and responsibilities of appellant's position were accurately described in a position description signed by appellant on November 27, 1984.

5. On or around November 12, 1986, appellant requested the reclassification of her position from ESA 1 to ESA 2. The duties and responsibilities of appellant's position as of the date of such request are accurately described in a position description signed by appellant on January 27, 1987.

6. A comparison of these 1984 and 1987 position descriptions indicates the following:

Goal: Educational administrative support to the Dean of Continuing Education and Outreach in intra- and inter-institutional program administration.

1984 - 43%; includes 18 worker activities

1987 - 45%; includes substantially identical worker activities as in 1984 plus the following:

A2. Supervises communication between General Extension and UW-Whitewater in coordinating and recording off-campus credit and non-credit activities.

A20. Secures plans for scheduling Teleconference Network programs on ETN, SEEN, MEET-ME for submission to the Instructional Communications System office at UW-Extension.

A21. Monitors policy on Student Fee Waivers for UW-Whitewater students enrolled in Extension Independent Study Courses.

A22. Represents Continuing Education office as a member of the Administrative Users Group Committee; reports to staff at regularly scheduled staff meetings.

Goal: Educational Administrative Support to the Dean of Continuing Education and Outreach in summer school program administration.

1984 - 23%; includes 25 worker activities

1987 - 12%; includes substantially identical worker activities as in 1984 plus the following:

- B27. Requests from deans of colleges names of individuals who are to be issued contracts for inter-academic department chairperson's stipends.
- B28. Secures from Vice Chancellor summer appointments to be made outside the colleges for non-instructional duties.
- B29. Consults with Associate Dean for Credit Outreach regarding all courses to be offered off-campus; determines salary for each course; assesses location for each course to assure compliance with guidelines.

Goal: Fiscal Administrative Support to the Dean of Continuing Education and Outreach in the operation of both Continuing Education and Summer School programs.

1984 - 32%; includes 34 worker activities

1987 - 35%; includes substantially identical worker activities as in 1984 plus the following:

- C1. Secures from Business Outreach Office, SBDC Office, Technology Transfer Office, Innovation Service Center, Credit Outreach Office, and Non-Credit Office, quarterly reports.
- C6. Initiate budget forms requesting additional spending authority from inter-institutional agreements.
- C10. Reviews and checks for accuracy on "collection and transfer of fees".
- C14. Secures approval from grant officer on campus in payrolling faculty members charged to grants.

Goal: Internal office administration.

1984 - 2%; includes 17 worker activities

1987 - 2%; includes substantially identical worker activities as in 1984 plus the following:

- E2. Maintains up-to-date staff listing with salary accounts charged, unit position and percentages of assignment.
- E4. Handles all correspondence and related office projects for associate dean; assigns student workers to projects.

- E10. Serves as focal point for professional and clerical staff of Continuing Education to report professionally involved absences.

Goal: Establish and maintain program data.

1984 - Not included

1987 - 6%; includes the following 12 worker activities:

- D1. Identifies courses funded through UW-Extension for Registrars Office for each semester and summer school.
- D2. Receives and has checked for accuracy reports from UW-Extension listing all non-credit data transmitted from UW-Whitewater via modem.
- D3. Establishes database showing status of UW-System inter-institutional agreements by invoice, number, data received, amount paid and balance due.
- D4. Establishes database showing UW-System inter-institutional agreements outstanding with other institutions who provide services to UW-Whitewater.
- D5. Establishes listing of all off-campus extension and part-of-load course offerings each semester and summer by date, location, instructor, title and credit of course.
- D6. Develops listing of all non-credit Business Outreach course offerings each semester and summer by date, location, instructor, title and payment.
- D7. Develops listing of all non-credit program offerings each semester and summer for conferences, camps, and work shops.
- D8. Develops listing of all Continuing Education and Outreach outgoing correspondence; supervises the flow of incoming and outgoing data of every day correspondence.
- D9. Devises a listing of all non-credit instructional forms; determines adherence to fee policy statement established by UW-Extension.
- D10. Develops and updates calendar events keeping track of deadlines and significant dates.
- D11. Develops database for planning and implementing summer calendar for all summer school activities and payroll.
- D12. Develops and maintains database for all faculty overload payments during the academic year.

7. In 1985, the "decentralization" of the UW-Extension system was completed. As a result of this "decentralization," some tasks which had been performed centrally by the UW-Extension System were now performed by the campuses. This resulted in the addition of certain duties and responsibilities to appellant's position. The substantial majority of these changes had been recognized or anticipated in 1984 and used as a basis for reclassifying appellant's position to the ESA 1 level at that time.

8. The Position Standard for the Educational Services series provides, in pertinent part, as follows:

Educational Services Assistant 1

PR1-11

Positions allocated to this class perform a variety of professional level work as a staff agent in an operating educational unit. Employees perform a wide variety of general educational administrative work. Employees in this class have progressed beyond the training stage and are responsible for developing and installing operating policies and procedures. Incumbents may also be assigned to duties in the area of merchandising, or general administration where they may be assigned buying and marketing responsibilities. Direction is received in the form of oral or written instructions, but it is the responsibility of the incumbent to determine how to carry them through to completion.

Examples of Work Performed

May supervise entry level professional and technical employees.

Develops budget justification for the unit.

Is responsible for coordinating all purchasing and purchase requisitions for the unit.

May assist in the operation of a book store or other business activity.

Selects articles to be stocked and develops merchandising techniques in assigned areas.

Assists in complex record keeping functions such as registration of students.

Acts in an advisory capacity to student organizations by providing financial and fiscal advice relative to their activities and school regulations.

At smaller institutions, may act as managers of book stores, assistant registrars, or assistant placement officers.

Develops and installs operating procedures for the unit.

Evaluates and approves allocation of budget allotments.

Conducts miscellaneous statistical, financial and accounting research.

Provides department-wide personnel functions.

Performs related work as required.

Educational Services Assistant 2

PR1-12

Positions allocated to this class are found in large complex operating units such as schools, stores, student activities, etc. Employees in this class are given a wide variety of assignments in a number of areas. Specific assignments may concentrate in one area such as book store operations, union activities, student financial assistance or counseling, etc. At this level the employees would act as assistants to the directors or higher level educational administrators. Employees usually serve as a staff assistant to faculty personnel and are responsible for interpreting laws, rules and departmental policies in carrying out their assigned function and may develop new techniques. Supervision is limited with a review of work only for the purpose of ascertaining if it follows department philosophy.

Examples of Work Performed

Acts as area specialist in book store activities.

Engages in administering phases of student union activities.

May act as assistant to registrar in large universities.

Acts as staff specialist in a combination of business management activities such as purchasing, budget preparation, personnel and space allocation.

Analyzes departmental requests for supplies, space and capital items as they relate to gifts, grants and endowments.

Performs related work as required.

9. In a letter dated December 2, 1987, respondent DER denied appellant's reclassification request. Appellant filed a timely appeal of such denial with the Commission on December 23, 1987.

10. The following positions were offered for comparison purposes in the hearing record:

a) UW-Stevens Point -- Educational Services Assistant 1, Telecommunications. This position is mainly involved in producing, directing and supervising productions such as television and studio. The main responsibilities are coordinating all professional and technical aspects, taping and editing various teleproduction formats and serving as project director. The remaining time is spent in consulting and managing duties such as working with clients, coordinating staff, serving as creative consultant for various projects, supervising work-study and staff interns, and other miscellaneous duties involved with the television projects.

b) UW-Eau Claire -- Educational Services Assistant 1, University Center. This position is mainly involved with program management. The majority (70%) of the duties involve developing policies and procedures, organizing staff and delegating responsibilities, supervising activities, reviewing performance of subordinates, establishing and maintaining internal control, developing reports and budget recommendations, hiring required staff and maintaining adequate inventory of supplies. The remaining 30% is spent managing office equipment repair and updating present equipment, communicating policies and serving as specialists on ticket sales.

c) UW-Superior -- Educational Services Assistant 2, Business Office. This position is responsible for maintaining and controlling all grants to the University, assisting in the set-up of procedures and budgets regarding grants, preparing financial reports and reconciliation reports, maintaining financial records of grants received

and interpreting rules and regulations for each grant and agency involved. Another major responsibility is registration procedures. The duties include: supervising the format for walk-in registration as to physical layout and procedures, contacting personnel, coordinating payments for meal plans, managing Minnesota reciprocity, monitoring sales taxes monthly, and preparing required reports, controlling pool vehicles and submitting mileage reports, and preparing charge backs. Responsibility for business office functions is also assigned to this position. This requires supervising cashiers and accounts receivable records, coordinating and managing procedures required to collect delinquent accounts, counseling students concerning financial matters, responsibility for inventory procedures and the implementation of such, and the inventory itself and assisting the controller.

11. The duties and responsibilities of appellant's position are better described by the Position Standard for the ESA 1 classification and are more closely comparable to those of the ESA 1 positions offered for comparison purposes in the hearing record. Appellant's position is more appropriately classified at the ESA 1 level.

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 proving that respondent's decision denying her request for the reclassification of her position was incorrect.

3. Appellant has not met this burden of proof.

4. Respondent's decision denying appellant's request for the reclassification of her position from the ESA 1 level to the ESA 2 level was correct and appellant's position is more appropriately classified at the ESA 1 level.

DECISION

It is clear that there was a change in the duties and responsibilities of appellant's position between the dates of the 1984 reclassification and the 1987 request for reclassification. These changes take two forms:

a) The addition of certain tasks to appellant's position's duties and responsibilities;

b) A general increase in the level of authority and independence in carrying out the position's duties and responsibilities.

The tasks added to appellant's position's duties and responsibilities during that time period not only do not consume a significant percentage of appellant's position's time but also do not strengthen appellant's position for classification purposes, i.e., consist of a relatively small number of tasks equivalent in scope, complexity, and impact to those listed on the 1984 position description. The addition of these tasks, standing alone, is clearly not sufficient to support the classification of appellant's position at the higher level.

The record clearly indicates that there has been an increase in the level of authority and independence exercised by appellant's position and that this increase came about largely as a result of and contemporaneous with the "decentralization" of the UW-Extension System. Even though this decentralization was not completed until some time in 1985, most of the changes in appellant's position's level of authority and independence resulting from this decentralization had occurred or were anticipated at

the time of the 1984 reclassification of appellant's position and served as the basis for such reclassification. The record does not support a conclusion that a further increase in the level of authority and independence of appellant's position occurred subsequent to that recognized in 1984.

The duties and responsibilities of appellant's position could be described by the language of the Position Standard for the ESA 1 classification although the fact that appellant's position performs a substantial number of purely clerical functions and primarily relies on established policies and procedures rather than developing and installing new ones necessarily leads to the conclusion that appellant's position is not a strong ESA 1 position. Appellant's position clearly does not satisfy the requirements for reclassification at the ESA 2 level, i.e., is not found in a large, complex operating unit and is not given a wide variety of assignments in a number of areas. Although appellant's position performs a multiplicity of tasks, they involve only a limited number of discrete program areas and are routine in nature, i.e., are carried out according to established guidelines, policies, and procedures.

The above conclusion is supported by a comparison of the duties and responsibilities of appellant's position with those of the positions offered in the record for comparison purposes (see Finding of Fact 11). The UW-Stevens Point ESA 1 position appears to be a stronger position than appellant's position, i.e., it involves the exercise of greater discretion and the performance of less routine, less well-defined tasks in a wider variety of complex program areas. The UW-Eau Claire ESA 1 position also appears to be a stronger position than appellant's, i.e., it involves the exercise of greater program discretion and a greater emphasis on supervisory duties. The UW-Superior ESA 2 position is clearly not comparable to

appellant's position, i.e., this position has program management responsibilities in a variety of diverse and complex program areas and has extensive supervisory responsibilities.


On the basis of the above, the Commission must include that appellant's position is more appropriately classified at the ESA 1 level.


ORDER

The action of respondent is affirmed and this appeal is dismissed.

Dated: May 5, 1988 STATE PERSONNEL COMMISSION


DENNIS P. MCGILLIGAN, Chairperson


DONALD R. MURPHY, Commissioner


LAURIE R. MCCALLUM, Commissioner

LRM:jmf
JMF02/2

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