STATE OF WISCONSIN PERSONNEL COMMISSION

ANN NEHRING, GEORGIA LEWIS, and RICHARD WERTH,

Appellants,

v.

President, UNIVERSITY OF WISCONSIN SYSTEM (Milwaukee), and Secretary, DEPARTMENT OF EMPLOYMENT RELATIONS,

Respondents.

Case Nos. 89-0066, 0068, 0074-PC

DECISION AND ORDER

NATURE OF CASE

This is an appeal under s. 230.44(1)(b), Wis. Stats., involving respondent's denial of appellants' request for reclassification from Computer Operator 3 to Computer Operator 4.

FINDINGS OF FACT

1) At all times relevant to this matter, the appellants were employed as Computer Operator 3's (PR 6-10) in the Production Center of the Administrative Computing Section within the Department of Information System at the University of Wisconsin - Milwaukee.

2) The Administrative Computing Section is comprised of four units; Data Administration, User Center, Applications Programming, and Operations and Technical Support. The Operations and Technical Support Unit has two subunits; the Production Center and Technical Support (systems programming).

3) The Production Center is responsible for the operation of computer equipment to produce information for use by various University

departments, such as the Registrar and Financial Aids, who use the Administrative Computing mainframe. The appellants are responsible for the operation of this equipment on an assigned shift.

The Operations and Technical Support Unit Manager is Mr. Terry Cowan, who is classified as a Management Information Supervisor 5 (MISUP5) in PR 1-16. The supervisor of the Production Center is Mr. Dean Holschbach, whose position is classified as an MISUP4 in PR1-15. Mr. Holschbach is the appellants' first line supervisor.

5) In addition to the appellants, Mr. Holschbach supervises Mr. Layne Litwin, whose position is classified as a Data Processing Operation Technician 4 (DPOT4) in PR6-13 with a working title of shift leader; a position classified as a Management Information Technician 3 (MIT3) in PR6-12 which serves as the lead I & O clerk; and a position classified as a DPOT 2 in PR6-11 which has responsibility as the master terminal operator/help desk coordinator.

6) Mr. Werth, in conjunction with two other full-time Computer Operator 3's (CO3), rotate shift schedules each semester so that each spends 1/3 of their time on the third shift. Mr. Werth is assigned to the first shift for the remaining 2/3rds of his time. Ms. Lewis and Ms. Nehring, who are employed 75% of full time, are scheduled to provide full coverage for second shift which includes responsibilities for the help desk.

7) When Mr. Werth is assigned to the third shift, he has sole responsibility for the operation of the center including the help desk. On the second shift, the assigned appellants (Mr. Werth and Ms. Nehring) have the shift leader (Mr. Litwin) available 4 out of 5 days. When the shift leader is not available, the assigned appellant is responsible for the shift leader functions.

8) The Production Center supervisor, Mr. Holschbach, is available on the first shift but can be called at any time in case of an emergency.

9) The heaviest hours of computer operation generally occur during the first shift (8:00 a.m. to 4:00 p.m.) However, the hours of 4:00 to 6:00 p.m. on the second shift and 7:00 to 8:00 a.m. on the third shift can involve computer operations comparable in volume to the first shift.

10) The duties and responsibilities previously assigned to the positions occupied by Ms. Lewis and Ms. Nehring are accurately reflected by the following position description. (Appellants' Exhibit #1 and 5, respectively) While the position description (PD) for their positions are nearly identical, Ms. Lewis' PD is dated September 25, 1979 and Ms. Nehring's PD is dated January 15, 1982.

POSITION SUMMARY

This position is responsible for the control and operation of two different multiprogramming computer systems. The configuration for each is attached. This involves complete operating knowledge of two different operating systems, Univac EXEC 8 and IBM OS/MFT-HASP, and two different types of hardware CPUs and consoles. This position does first level problem determination (software vs. hardware) which involves two distinctly different software philosophies and hardware technology. This position must take corrective action as required and provide complete and accurate information when taking dumps. The person in this position at times operates both consoles and systems, and at times directs the operation of one or the other while operating one. Support of peripheral equipment is included in this position. Depending on the shift the operator may operate unit record equipment as necessary. This work may involve the handling of heavy boxes of stock forms and cards, which includes off-loading pallets and stocking shelves. (Underlined sentence included only on PD for Ms. Nehring.)

TIME % GOALS AND WORKER ACTIVITIES

75% A. Operates or directs the operation of the computer consoles and systems ensuring

maximum hardware utilization and system throughout.

1. Mounts tapes on request and cleans tape drives.
2. Maintains and changes forms on the printer.
3. Ensures that both printers are operating properly, changing ribbons or vacuuming the printers as necessary.
4. Clearing printers and routing output, if requested.
5. Maintaining cards in the punch unit and removing the punchout as directed by the console messages.
6. Reading in decks, if requested, and keeping the reader clear of jams. Informing I/O control if an interlock condition exists.
7. Set up the plotters for operation including changing the pens and/or paper according to console instructions. Removing the plot from the spool when it is done. (Underlined sentence included only in Ms. Lewis' PD.)
8. Monitor the console for special requests for operator intervention. Answer console questions or requests from teletype users.
9. Respond immediately to remote requests for action via the green phone. Maintain communications to terminal users.
10. Maintain operational knowledge of system support runs.

20% B. Troubleshoot and document operation problems, distinguishing between hardware and software, and take corrective action.

1. Recognize a failure condition of the machine and immediately take steps to correct it.
2. Inform the remotes and I/O control of any unusual condition and any estimated up times.
3. Read and interpret processor lights or console messages, as necessary, in a problem situation.
4. Take peripheral equipment in or out of service depending on conditions.
5. Take dumps and record any problems using the appropriate reporting mechanisms.

5% C. Maintain Logs

1. Keep external console logs up-to-date by recording all events that occur during a shift that may be of interest to the next shift.
2. Maintain the internal console log if there are events to report.

3. Log messages to user jobs if there is some unusual conditions.
4. Fill out hardware usage problem reports as necessary.

11) The duties and responsibilities previously assigned to the position occupied by Mr. Werth are accurately reflected in the following position description (PD) dated January 26, 1987. (Appellants' Exhibit #8)

POSITION SUMMARY:
This person is the primary backup operator for all shifts on the Administrative Computer System, and will have to adjust to a flexible schedule based on planned outages and peak processing demands. This position is responsible for the control and operation of a 'state-of-the-art' data processing computer system with teleprocessing terminals utilizing TSO, CICS, and IMS DS/DC. The person in this position does first level problem determination (software vs. hardware) and initiates the proper corrective action, providing concise reports and complete dumps as required. Support of peripheral equipment is included in this position. Depending on the shift, the operator may support other areas as necessary.

TIME% GOALS AND WORKER ACTIVITIES

75% A. Operate or direct the operation of the mainframe computer system.
A1. Power up, IPL, Drain, or Power down the computer system, to encure maximum availability for system users.
A2. Monitor jobstreams, system consoles and respond to messages.
A3. Process jobs maximizing the utilization of the CPU, Peripheral equipment, and teleprocessing network within the constraints of the existing schedules and priorities.
A4. Mount tapes as requested, load forms no printers as needed; or direct the peripheral operator.
A5. Communicate the status of the system to users.
A6. Provide backup support of the 'Master Terminal Operator/Help Desk Coordinator'.

15% B. Systems/Hardware Recovery
B1. Detect and document computer system failures, capture system dumps and take remedial action to restore normal operating levels.
B2. Distinguish between computer hardware, software, or application failures and notify proper personnel. Record and report information for further trouble shooting and or recovery.

B3. Monitor the physical and logical paths for all devices ensuring that they are in their desired state and available to the system.
B4. Determine the exact nature of the problem take corrective action (this may include putting units in and out of service), and/or request repair service.

10% C. Other Duties
C1. Maintain logs, fill out monitors and incident reports.
C2. Review documentation and practiced procedures, verify that they are correct. Recommend changes then update as directed.
C3. Assist with the informal training of new or junior operators, communicate new techniques with fellow operators.
C4. Clean, service and perform routine equipment maintenance.
C5. Ensure computer room security with regard to storage of data, logging and confidentiality.

12) The current duties and responsibilities assigned to the positions held by Ms. Lewis and Ms. Nehring are accurately reflected in the following position description (PD) dated August 9, 1988, (Appellants' Exhibits #2 and 6, respectively)

POSITION SUMMARY
This person serves as one of the primary operators for second shift processing on the Administrative Computer, and is scheduled in conjunction with one other 75% position (CO3) to provide full coverage for second shift processing demands. The position is responsible for the control and operation of a large, complex 'state-of-the-art' data processing systems with a 'Front End Processor' network link to another Administrative Computer Network in the UW System, and local teleprocessing terminals utilizing TSO, CICS, and IMS DB/DC. The person in this position does first level problem determination (software vs. hardware) and initiates the proper corrective action, providing concise reports and complete dumps as required; and provides production error recovery in the absence of the second shift Technician/ Lead Worker. Support of peripheral equipment is included in this position. Depending on the shift, the operator may support other areas as necessary.

TIME% GOALS AND WORKER ACTIVITIES
75% A. Operate or direct the operation of the mainframe computer system.

A1. Power up, IPL, Drain, or Power down the computer system, to encure maximum availability for system users.
A2. Monitor jobstreams, system consoles and respond to messages.
A3. Process jobs maximizing the utilization of the CPU, Peripheral equipment, and teleprocessing network within the constraints of the existing schedules and priorities.
A4. Mount tapes as requested, load forms on printers as needed; or direct the peripheral operator.
A5. Communicate the status of the system to users.
A6. Provide backup support of the 'Master Terminal Operator/Help Desk Coordinator'.

15% B. Performs necessary recovery procedures.
B1. Detect and document computer system failures, capture system dumps and take remedial action to restore normal operating levels.
B2. Distinguish between computer hardware, software, or application failures and notify proper personnel. Record and report information for further trouble shooting and or recovery.
B3. Monitor the physical and logical paths for all devices ensuring that they are in their desired state and available to the system.
B4. Determine the exact nature of the problem, take corrective action (this may include putting units in and out of service), and/or request repair service.
B5. In the absence of the Shift Leader, restart or resubmit production jobs after the problem has been corrected and necessary job control language modified and/or file reallocations are complete.

10% C. Other Duties
C1. Maintain logs, fill out monitors and incident reports.
C2. Review documentation and practiced procedures, verify that they are correct. Recommend changes then update as directed.
C3. Assist with the informal training of new or junior operators, communicate new techniques with fellow operators.
C4. Clean, service and perform routine equipment maintenance.
C5. Ensure computer room security with regard to storage of data, logging and confidentiality.

13) The current duties and responsibilities assigned to the position occupied by Mr. Werth are accurately reflected in a PD dated December 14,

1988. (Appellants' Exhibit #9). Mr. Werth's PD is identical to that of Ms. Lewis and Ms. Nehring with the following exceptions:

> POSITION SUMMARY
> This position serves as one of the primary operators on the Administrative Computer System, and is scheduled in conjunction with two other full time operators to provide full coverage for first and third shift processing demands. The person in this position will have to adjust to a flexible schedule based on planned outages and peak processing demands. This position is responsible for the control and operation of a large, complex 'state of the art' data processing computer system with a 'Front End Processor' network link to another Administrative Computer Network in the UW System and local teleprocessing terminals utilizing TSO, CICS, and IMS DB. The person in this position does first level problem determination (software vs. hardware) and initiates the proper corrective action, providing concise reports and complete dumps as required. The person in this position works alone, unsupervised while on third shift and initiates production recovery as necessary. Support of peripheral equipment is included in this position. Depending on specific staffing constraints, the operator may support other areas as necessary.

The underlined portions represent the difference found in Mr. Werth's PD. These differences are attributable to his shift assignment (first and third versus second shift for Ms. Lewis and Ms. Nehring) and that while on third shift (1/3rd of his time) he is unsupervised and initiates production recovery which Ms. Lewis and Ms. Nehring are responsible for only in the absence of the shift leader (one day out of five or 20% of the time).

GOAL AND WORKER ACTIVITIES

Mr. Werth has the following additional worker activity under Goal C: Other Duties:

"C.6. Handle special requests as necessary for the supervisor."

14) The changes reflected in the 1988 PD's of the appellants are a result of the following:

a) A significant growth in the amount and type of computer hardware and the number and complexity of software programs.

b) An increase in the number of users and, consequently, the demands put on the Production Center.

c) A change in the computer mainframe from a "batch only" system to an interactive data processing system.

d) The development of an online teleprocessing network.

15) This increase in the size and complexity of the operation of the Administrative Computing Section has had the following impact on the functions performed by the appellants:

a) Acquisition of increased skills and knowledge to operate and troubleshoot new and expanding hardware and software.

b) Increased responsibility and independence to perform job recovery function related to identifying and correcting errors.

c) Authorization to restart and resubmit production jobs when a technician or shift leader is not available.

16) The specific worker activities in the appellants' current PD (See Finding #12) which are either new or expanded are A1, A3, A6, B3, B4, B5, C2, C3, C5 and C6 (Appellants' Exhibits #14, 15, and 16)

17) The specifications for Computer Operator 1 and Computer Operator 2 contain, in relevant part, the following language:

COMPUTER OPERATOR 1

Class Description

Definition:

This is either entry or objective level work in the operation of a computer. Entry-level positions

allocated to this class are responsible for monitoring, operating and responding to the master control, data base, and/or teleprocessing consoles of a full-scale computer in a multiprocessing environment. - - - - - - - - - Positions allocated to this class as an objective level are responsible for operating a computer which is considered to be less than full-scale in terms of its operational use or capabilities or for which applications are specialized. - - - - - - - - - - Other types of computer operator positions may be allocated to this level when the assigned functions are comparable to functions assigned positions specifically identified by this definition in terms of consequence of error, scope, complexity and level of supervision received.

* * *

COMPUTER OPERATOR 2

Class Description

Definition:

This is either objective or developmental level work in the operation of a computer. Positions allocated to this class as an objective level are responsible for monitoring, operating and responding to the master control, data base, and/or teleprocessing consoles of a small or medium size full-scale computer such as might be found in a University of Wisconsin System campus.

Positions allocated to this class as a developmental level are responsible for monitoring, operating and responding to the master control, data base and/or teleprocessing consoles of one of the State's largest and most complex computers, such as is currently found in a Regional Computing Center.

Other types of computer operator positions may be allocated to this level when the assigned functions are comparable to functions assigned positions specifically identified by the definition in terms of consequence of error, scope, complexity and level of supervision received.

* * *

18) The specifications for Computer Operator 3 and Computer Operator 4 (Appellants' Exhibit #13) provide, in pertinent part, the following:

COMPUTER OPERATOR 3

Class Description

Definition:

This is either lead or objective level work in the operation of a computer. - - - - - - - - - - Positions allocated to this class as an objective level are responsible for monitoring, operating and responding to the master control, data base, and/or teleprocessing consoles of one of the State's largest and most complex computers such as is currently found in a Regional Computing Center or comparable operation. Teleprocessing console operations involve a highly complex teleprocessing network which includes a large number of terminals and a wide variety of on-line and real-time applications. Because of the system's size and complexity, the operator will play a critical role in balancing responses and in insuring that all operating requirements are being met on the applications being processed. Note: Typically, the console functions should be performed by the position a majority of the time. However, if the position is responsible for the overall operation of such a computer and its peripheral equipment on a shift, the time spent by the position on actual console-related functions may not necessarily be in the majority.

Work at this level is performed under general supervision.

Other types of computer operator positions may be allocated to this level when the assigned functions are comparable to functions assigned positions specifically identified by this definition in terms of consequence of error, scope, complexity and level of supervision received.

Examples of Work Performed:

Objective Level Positions

Starts up and/or shuts down computer and peripheral equipment.

Executes jobs from input queue to obtain maximum utilization of the computer, peripheral equipment and teleprocessing network within the constraints of existing schedules and priorities.

Sets up and runs production jobs.

Monitors job runs and responds to console messages.

Monitors computer and communications lines to insure proper operation.

Monitors master control console, teleprocessing, and/or data base consoles to distinguish between computer, hardware, software or application failures and contacts proper service personnel.

Performs necessary recovery procedures when system fails.

Instructs users on proper corrective action to eliminate specific problems.

Switches peripheral equipment between computers as required for job processing.

Modifies or corrects noticeable job control language errors to allow processing to continue.

Trains new or junior operators in console operations.

Controls use of teleprocessing network and disk files.

Consults with users to increase efficient use of the machine.

May maintain a variety of logs/reports.

May direct activities of peripheral equipment operators.

May clean, service, and perform preventative maintenance on a limited basis on CPU and peripheral equipment as required.

May monitor and operate peripheral equipment.

* * *

COMPUTER OPERATOR 4

Definition:

This is lead work in the operation of a computer. These positions are responsible for assigning, reviewing, and coordinating the work of all staff on a shift engaged in the operation of one of the State's largest and most complex computers and its peripheral equipment such as is currently found in a Regional Computing Center. Responsibilities may include leading the work of other operators in teleprocessing and/or data base console operation. Higher-level Data Processing Operations Technicians or Management Information Supervisors are normally not available for consultation or to resolve

unusually complex problems. The work at this level is performed under general supervision.

Other types of computer operator positions may be allocated to this level when the assigned functions are comparable to functions assigned positions specifically identified by the definition in terms of consequence of error, scope, complexity, and level of supervision received.

Examples of Work Performed:

Leads the work of subordinate level peripheral equipment and/or computer operators.

Trains new or junior operators in console operations.

Starts up and/or shuts down computer and peripheral equipment.

Executes jobs from input queue to obtain maximum utilization of the computer, peripheral equipment and teleprocessing network within the constraints of existing schedules and priorities.

Sets up and runs production jobs.

Monitors job runs and responds to console messages.

Monitors computer and communications lines to insure proper operation.

Monitors master control console, teleprocessing and/or data base consoles to distinguish between computer, hardware, software, or application failures and contacts proper services personnel.

Performs necessary recovery procedures when system fails.

Instructs users on proper corrective action to eliminate specific problems.

Switches peripheral equipment between computers as required for job processing.

Modifies or corrects noticeable job control language errors.

Controls use of teleprocessing network and disk files.

Consults with user to increase efficient use of machine.

Maintains a variety of logs/reports.

Cleans, services, and performs preventative maintenance on a limited basis on CPU and peripheral equipment as required.

May perform, less than the majority of the time, functions described in the position standard

for the Data Processing Operations Technician series.

19) The following Computer Operator 3 positions were offered for comparisons purposes by respondent during the hearing:

a) Brian Longfield - University of Wisconsin Madison, Administrative Data Processing. (PD dated 9/30/85).

This position is responsible to lead console operations of an IBM 3083 computer mainframe system along with various other systems which include IBM 4381 mainframe, Wang VS/100 and IBM Series 1 systems. The position reports to a MISUP2 and spends the majority of its time (80%) in operation of the Central Processing Unit (CPU) console. Other functions assigned to the position include peripheral equipment operation (10%), IMS (teleprocessing) activities which includes maintaining limited control over an online teleprocessing system including assisting users with application and terminal problems (7%), and miscellaneous equipment cleaning and other functions as assigned by the supervisor (3%). The position carries these responsibilities on the 7:30 a.m. - 3:30 p.m. shift Monday through Friday.

b) Lang To - Department of Health and Social Services, Office of Information Systems (PD dated 2/17/85).

This position is assigned to work the 4:00 p.m. to midnight shift and reports to a MISUP3. This position is responsible on the shift for the operation of a very large and complex computer and its peripheral equipment (MVS/JES2) in a multi-programming and teleprocessing environment in a major regiional computing center. The specific activities assigned to the position are console operation (60%),

peripheral equipment operation (30%), and miscellaneous duties such as working with users to correct problems, correcting job control language errors, and equipment cleaning.

c) Dawn Beatty - Department of Industry, Labor and Human Relations, Systems and Data Processing (PD dated 2/4/88).

This position is assigned to work second shift and reports to a MISUP3. The overall responsibilities of this position are to operate and control the operation of a system 3084Q, including the monitoring and shut down of the online teleprocessing network and the data base system and the processing of jobs. Specific activities assigned include: interpretation of console messages, diagnostic lights and written instructions (25%); operation of peripheral equipment on the IBM 3084Q (20%), back up to lead technician (20%), back-up to network control Center (10%), providing problem-solving and operating tools to support operation software (10%), knowledge of job control language (4%), participation in training and other professional development activities (5%), and other miscellaneous duties such as backing-up stock inventories of forms, cards and paper, and assisting other functions, i.e. data control, tape librarian (6%).

20) The following Computer Operator 4 position was offered for comparison purposes by the appellants during the hearing.

Elizabeth Lawrence - University of Wisconsin- Madison, Graduate School-Madison Area Computing Center (PD dated 12/29/77).

POSITION SUMMARY

Operates the UNIVAC 1110 computer system and other MACC equipment.

TIME%	WORKER GOALS AND ACTIVITIES
65%	• Responsible for the operation of equipment on the 1110 platform including but not limited to: respond to console messages; perform key-ins as required; locate, load, and refile magnetic tapes; log in error stops; initiate system dumps; record pertinent events in a log. Additionally, operate PDP-15; Microdata 1600D Computer; and two plotters. Work in B119 I/O Station and other basement areas as required. This involves responsibility for the operation of the peripheral equipment (9300 computer which controls a card reader, punch, two printers; and C/SP computer which controls a high-speed reader, punch and printer) and the guidance of student hourly employees who work in the facility. (Responsibility involves a total of one major computer, four medium computers, and two small computers.) Also operate PDP - 11/70 and Data General C-330 computers.
10%	• Assist the DPOT with special projects, assume DPOT's responsibilities in his absence, and train and direct student hourlies as required.
5%	• Assist in monitoring equipment, identify equipment failures, and perform minor repairs.
	• Perform regular cleaning and preventive maintenance of the equipment.
15%	• Assist users with problems on system use as required. Assist programmers when performing tests.
5%	• Other activities and duties as required.

The position reports to a DPOT-4, and is scheduled to work the first shift.

21) The University of Wisconsin - Milwaukee Personnel Office recommended to the University of Wisconsin System, Office of Personnel Services/Employe Relations that the appellants' positions be reclassified from Computer Operator 3 to Computer Operator 4. This request was denied in a memorandum from Gary Martinelli (UWS) to David Putchinski (UWM) dated May 19, 1989. (Appellants' Exhibit #11) In his letter, Mr. Martinelli indicated that he recognized that changes had occurred in the appellants' positions, but that they were still best identified by the Computer Operator 3 classification.

In addition, the appellants' positions compared favorably to other Computer Operator 3 positions in state service.

22) There are 2 Computer Operator 4 positions in state service. Both positions are located at the Madison Area Computing Center (MACC), and were reallocated to the CO4 level at the time of the Data Processing survey conducted by DER in 1979. While the complexity of the operation at the Administrative Computing Section at UW-Milwaukee is comparable to MACC, MACC is larger in scope and size based on the number of users, the amount and type of computer hardware and software, the number of applications, and the number of staff.

23) The duties and responsibilities assigned to the positions occupied by appellants are most appropriately identified by the Computer Operator 3 specifications.

CONCLUSIONS OF LAW

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

2) The appellants have the burden of proof of showing by the preponderance of evidence that respondent's decision denying the request for reclassification of their positions was incorrect.

3) Appellants have not met this burden of proof.

4) Respondent's decision denying appellants' request for reclassification from the CO3 to CO4 level was not incorrect, and appellant's positions are more appropriately classified at the CO3 level.

DISCUSSION

In addressing cases of this nature, the Commission has consistently held that it is bound by and will give primary consideration to the clear language of the classification specification, Zhe et al. v. DHSS and DP, 80-285-PC

(11/19/81); aff'd by Dane County Circuit Court, Zhe et al. v. PC, 81-CV-6492 (11/2/82). If the specifications do not provide a clear distinction, then the Commission will look at comparable positions.

In reviewing the denial of a reclassification request, there are three questions which generally need to be answered.

1) Has there been a change in the duties and responsibilities assigned to the position being reviewed?

2) Have these changes occurred gradually and logically in a way that makes reclassification an appropriate personnel transaction?

3) Are the changes in the duties and responsibilities of the position such that the majority of the position's time (over 50%) is spent performing functions which are more appropriately identified by a higher level classification?

The appellants presented evidence and testimony substantiating that there had been numerous and significant changes in their duties and level of responsibility. These changes involved having to work with larger numbers of users, more and diverse computer hardware, increased numbers and more complex software programs and user applications. In addition, as they acquired additional skill and knowledge in the operation of the system they began exercising more independence in areas such as diagnosing and correcting errors, and initiating job recovery procedures when the system fails.

The appellants also showed that the changes in duties and responsibilities were gradual and logical. The expansion of the Administrative Computing Section had occurred over a period from 1982 to 1988 as new equipment and technology were brought in and the number of software packages and appli-

cation programs increased. It was also logical that these increased duties and responsibilities would be assigned to the appellants. The appellants were hired to operate the computer equipment on an assigned shift. This is still their major responsibility, notwithstanding the fact that the performance of the job duties has required the appellants to gain additional skill and knowledge, which they have used to more independently perform their functions.

The respondent concurred that there had been changes in the appellants' duties and responsibilities and that these changes were both gradual and logical. The respondent, however, took the position that these changes did not result in the positions being better identified by the Computer Operator 4 specification.

In reviewing the job specification for Computer Operator 3 and 4 the following differences are noted.

COMPUTER OPERATOR 3

Class Description

Definition:

> This is either lead or objective level work in the operation of a computer. Leadwork positions are responsible for assigning, reviewing, and coordinating the work of all staff on a shift engaged in the operation of a small or medium-size computer and its peripheral equipment such as might be found on a University of Wisconsin System campus.
> - - - - - - - - - -
>
> Higher-level Data Processing Operations Technicians or Management Information Supervisors are normally not available for consultation or to resolve unusually complex problems. - - - - - - - - - - Positions allocated to this class as an objective level are responsible for monitoring, operating and responding to the master control, data base, and/or teleprocessing consoles of one of the State's largest and most complex computers such as is currently

found in a Regional Computing Center or comparable operation. - - - - - - - - - - Work at this level is performed under general supervision.

* * *

COMPUTER OPERATOR 4

Class Description

Definition

This is lead work in the operation of a computer. These positions are responsible for assigning, reviewing, and coordinating the work of all staff on a shift engaged in the operation of one of the State's largest and most complex computers and its peripheral equipment such as is currently found in a Regional Computing Center. - - - - - - - - - - Higher-level Data Processing Operations Technicians or Management Information Supervisors are normally not available for consultation or to resolve unusually complex problems. The work at this level is performed under general supervision.

The major difference between the CO3 specification and CO4 specification is that the CO3 identifies either "lead or objective level work" in computer operation, while the CO4 identifies only "lead work" in computer operation. It is undisputed that the appellants do not have leadwork responsibility over other employes in the operation of computer or peripheral equipment. In addition, the leadwork definition at both the CO3 and CO4 level indicates that higher level supervision is normally not available. In the case of the appellants, higher level supervision appears to be normally available. While Ms. Lewis and Ms. Nehring do not have a supervisor available one out of five days, and Mr. Werth works 1/3rd of his time on third shift where no supervisor is available, this is not a situation which constitutes a majority of appellants' time or a situation where supervision is normally not available.

This is true particularly in light of Mr. Holschbach's testimony that in an emergency he could be called.

The appellants also contended that the Computer Operator series was a progression series and that their objective level should be CO4. The plain language of the specification does not bear this out. While CO1, CO2, and CO3 identifies various lead, objective, and developmental levels for positions depending on the size of the computer operation, the CO4 identifies only leadwork.

The appellants argue that the leadwork concern can be overcome by bringing into play the following paragraph found in the Definition portion of the Class Description for all levels in the Computer Operator series.

> "Other types of computer operator positions may be allocated to this level when the assigned functions are comparable to functions assigned positions specifically identified by the definition in terms of consequence of error, scope, complexity, and level of supervision received."

In support of their position, appellants point out that they spend at least some percentage of time working when no supervisor or shift leader is available. (Mr. Werth - 33%, Ms. Lewis and Ms. Nehring - 20%) In addition, they perform the work of the help desk, which is staffed by a person with a higher classification, when that person is not there. There was no indication as to what percentage of time these help desk activities were performed. For purposes of this record, it will be assumed that any help desk activities would occur, as a minimum, when the DPOT responsible for the help desk and the supervisor were not available. This would, therefore, not increase the percentage of time previously identified, i.e. 33% for Mr. Werth and 20% for Ms. Lewis and Ms. Nehring since both activities occur at the same time.

The specifications for CO3 identifies at the objective level positions which are responsible for operating "one of the State's largest and most complex computers such as is currently found in a Regional Computing Center or comparable operation." At the CO4 level, the specifications identify positions responsible for directing the work "of all staff on a shift engaged in the operation of one of the State's largest and most complex computers and its peripheral equipment such as is currently found in a Regional Computing Center."

Since the functions currently being performed by the appellants are identified as being in the "largest and most complex computer operation," it is difficult to envision staff level functions which would be comparable to leading the work of other employes at the "largest and most complex" computer operations. However, appellants have argued with some success, that the following activities are comparable to the leadwork requirements.

1) The time that appellants work on a shift without supervision. During this time period (33% for Mr. Werth and 20% for Ms. Lewis and Ms. Nehring), the appellants operate independently and carry full responsibility for the computer operation. This is ameliorated to some extent by the fact that the production level is generally lower during these time periods (2nd and 3rd shift) which would presumably result in fewer and less complex problems for the appellants to deal with. Additionally, in an emergency they can call Mr. Holschbach.

2) The appellants perform higher level functions when they fill in for the help desk operator classified as a DPOT. The specification for CO4 provide the following as an example of work performed.

> "May perform, less than the majority of the time, functions described in the position standard for the Data Processing Operations Technician (DPOT) series."

This is significant in light of the fact that the CO3 and CO 4 Examples of Work Performed are very similar except for the above example and the leadwork example contained at the beginning of the section. Other than these two examples and the use of the word "may" in front of some of the CO3 examples of work performed, the examples for CO3 and CO4 are almost identical.

Assuming that these two functions identified by the appellants were equivalent to the leadworker function identified at the CO4 level, these functions do not represent a majority (over 50%) of the appellants' duties which would be necessary to find the positions more appropriately identified at the CO4 level.

Additionally, at both the CO3 and CO4 level the specifications talk about higher level supervision not being available. In the case of the appellants, higher level supervision seems to be available most of the time. The fact that the appellants may not need or use this supervision is not a relevant factor recognized by the specification. It also appears that in allocating the appellants' positions to the CO3 level as an objective level, the respondent has recognized the size and complexity of the operation as compared to other UW campuses. Specifically, the operation at UWM has been identified as one of the largest and most complex computer operations which distinguishes it from other UW campuses with smaller operations who can justify positions at the CO3 level only based on leadwork responsibility.

To the extent that appellants argue that the functions they perform are not appropriately identified at the CO3 level, their argument is refuted by the following "Examples of Work Performed" identified in the CO3 specification.

Starts up and/or shuts down computer and peripheral equipment.

Executes jobs from input queue to obtain maximum utilization of the computer, peripheral equipment and teleprocessing network within the constraints of existing schedules and priorities.

Sets up and runs production jobs.

* * *

Monitors master control console, teleprocessing, and/or data base consoles to distinguish between computer, hardware, software or application failures and contacts proper service personnel.

Performs necessary recovery procedures when system fails.

Instructs users on proper corrective action to eliminate specific problems.

* * *

Modifies or corrects noticeable job control language errors to allow processing to continue.

* * *

These examples identify job changes, including acquiring knowledge about job control language and performing necessary recovery procedures, that appellants have identified as warranting reclassification.

Based solely on the specifications, the appellants spend the majority of their time performing functions which are specifically identified at the CO3 level.

Respondent and appellants both submitted position comparisons. Respondent introduced three CO3 positions (Finding #19) which supported its contention that positions responsible for operating a computer system (which is identified as largest and most complex) on a shift were classified as CO3. As is the case with the appellants' positions, the incumbents of these comparison positions all reported to a MISUP and were responsible for a large and complex computer operation on a shift.

Appellants introduced one CO4 position description (Finding #20) for comparison purposes. The PD is dated in 1977 and both parties indicated that there were some problems with the PD. Appellants indicated that the equipment identified on Ms. Lawrence's PD was not accurate. Respondent stated the position had been reviewed and it was appropriately classified as a CO4 based on its leadwork responsibilities. Considering how old the PD is and the changes that have occurred in the data processing field, there certainly are bound to be some inaccuracies. However, the PD for Ms. Lawrence was developed as part of the data processing survey and was reallocated to the CO4 level at the time the survey was implemented in 1979. To that extent, the position was determined at the time of the survey to be appropriately classified as a CO4.

It is difficult to evaluate this CO4 position further because there is no information on the organizational structure or supervision available to the position. What is known is that MACC is larger in size and scope of operation than UW-Milwaukee's Administrative Computing section, and that there are only two CO4 positions in state service and these are both located at MACC. Certainly the specifications for CO4 anticipate that in a large operation more than one computer operator is needed on a shift. In these cases, the CO4 specifications would allow the identification of a leadworker position. In addition to this rather clear position identification, the specifications for CO4 does allow for equivalency. While the appellants have made some pertinent arguments relative to what might be an equivalent function, there was no indication on the record concerning why the smaller UW-Milwaukee operation would warrant 3 CO4's, while the lager MACC operation would have only 2 CO4's. Therefore, based on the respondent's representation and the fact that the appellants made no showing that the CO4 position held by Ms. Lawrence did not

have leadwork or equivalent responsibility, the Commission will assume that the position is appropriately classified at the CO4 level based on its leadwork responsibility.

However, even if appellants had shown that the CO4 position had no leadwork or equivalent responsibility, it would not have helped their case but only pointed out a potentially misclassified position. In Augustine & Brown v. DATCP (&DER), 84-0036, 0037-PC, 9/12/84, the Commission held that reclassifying a position simply because another comparable position is inappropriately classified would compound an error and ignore the requirement that the majority of a position's duties and responsibilities must satisfy the applicable specifications before the position can be classified at a particular level. In the instant cases, the appellants have shown that there are some similarities between their position and that of the CO4 position held by Ms. Lawrence. However, they have not shown how the majority of the duties and responsibilities of their positions are more appropriately identified by the CO4 specification. It is this later issue related to meeting the requirements of the classification specifications, that results in the appellants not meeting their burden of proof.

To the extent that the appellants allege that the changes in their job duties and responsibilities should be recognized at a higher level, that there have been significant changes in the computer field which are not recognized by the specifications, and that the specifications should provide greater progression and pay potential, these matters are outside the scope of the issue set for hearing in these cases. In addition, these arguments raise questions concerning the ability of the Commission to address them based on its grant of statutory authority under §230.44 Wis. Stats. (See Zhe et al. v. DHSS and DP,

80-285-PC (11/19/81); aff'd by Dane County Circuit Court, Zhe et al. v. PC, 81-CV-6492 (11/2/82).

The Commission recognizes that the appellants have experienced changes in their jobs as a result of the increased size and complexity of the UWM computer operation, and that the appellants have put considerable effort into maintaining a high level of performance. However, these changes are not such that they result in the majority of the appellants' duties and responsibilities being identified at the CO4 level. Consequently, based on the classification specifications, appellants' positions are most appropriately classified at the CO3 level.

ORDER

The action of the respondent is affirmed and these appeals are dismissed.

Dated: November 16, 1990 STATE PERSONNEL COMMISSION

LAURIE R. McCALLUM, Chairperson

GFH/gdt/2

DONALD R. MURPHY, Commissioner

GERALD F. HODDINOTT, Commissioner

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