

STATE OF WISCONSIN

PERSONNEL COMMISSION

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JANELLE MANNING,
 Appellant,

v.

President, UNIVERSITY OF
 WISCONSIN SYSTEM (Madison),
 and Secretary, DEPARTMENT OF
 EMPLOYMENT RELATIONS,
 Respondents.

Case No. 89-0102-PC

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FINAL
 DECISION
 AND
 ORDER

This matter is before the Commission on consideration of a proposed decision and order. In appellant's objections to the proposed decision and order, she identified a number of concerns. Specifically, she raised the fact that her work performance was more than acceptable, she had not received any complaints, she had oriented and trained new staff assigned to the reference department, including the .50 Library Services Assistant 2 (LSA 2), the agency was slow in processing her reclassification request, there was an attempt to keep her from being reclassified because she was an older worker and about to retire, and her position was filled at the LSA II level upon her retirement.

While the proposed decision and order addressed some of these issues, the Commission will address them further. The issue in the instant case is whether appellant's position is appropriately classified at the LSA 1 or LSA 2 level. In reviewing respondent's decision to deny appellant's request for reclassification from the LSA 1 to LSA 2, the Commission is bound by the language in the specifications and the job comparison presented at the hearing. While the Commission recognizes the appellant's long and satis-

factory state service, job performance and longevity are not factors which justify reclassification from LSA 1 to LSA 2. Rather, reclassification is justified on the basis of whether the majority (over 50%) of the appellant's duties and responsibilities are identified at the higher classification level.

Duties and responsibilities are assigned to a position by management. The Commission does not have the authority to direct an agency to assign particular duties to a position. Consequently, appellant's allegation that higher level duties may be available (and the record does not indicate what these duties would be) or that management could have done something if they had wanted to is not an issue the Commission can address. Certainly, the Commission recognizes appellant's frustration with the length of time it took to get her position reviewed, but that doesn't change the fact that the majority of the duties assigned to the position (even using the time percentages provided by appellant) are best described by the LSA 1 classification.

While appellant did orient and provide some training to new staff (librarians and LSA's) when they came into the reference department, these functions appear from the record to involve procedural and orientation (location of items) types of matters. There is nothing on the record to show that appellant was responsible for training staff in the performance of their job duties.

Appellant's references to older workers and pending retirement are issues that fall outside the scope of this civil service appeal.¹ The case before the Commission does not involve a charge of discrimination, but rather involves the appropriate classification level of appellant's position.

¹ While the examiner is not in agreement with appellant's version of a telephone conversation which appellant referred to in her objections, that issue will not be addressed further due to its lack of materiality.

Appellant's allegation that there was a conspiracy to keep her position from being reclassified by asserting that her position was filled upon her retirement as an LSA 2, is outside the scope of this record. Notwithstanding management's right to assign duties, there was no dispute on the record as to what work was actually performed. Additionally, the record made at the hearing does not include any information concerning the subsequent filling of the position. Even if the record were to contain this fact, i.e., the appellant's position was refilled as an LSA 2, there is no evidence in the record regarding the duties and responsibilities of the position at the time it was filled at the LSA 2 level. Consequently, even if this matter could be considered within the scope of the record in this case, the Commission can not determine whether the newly filled position is appropriately classified.

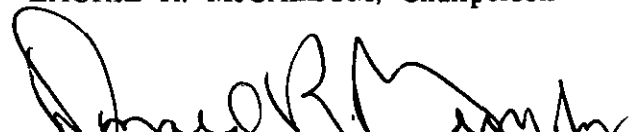
ORDER

Having considered the proposed decision and order and the appellant's arguments, the Commission adopts the proposed decision and order, a copy of which is attached hereto and incorporated by reference as if fully set forth, as its final disposition of this matter, and respondent's decision denying reclassification of appellant's position to LSA 2 is affirmed and this appeal is dismissed.

Dated: December 13, 1990 STATE PERSONNEL COMMISSION


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GFH:rcr


DONALD R. MURPHY, Commissioner


GERALD F. HODDINOTT, Commissioner

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PROPOSED
 DECISION
 AND
 ORDER

NATURE OF THE CASE

This is an appeal pursuant to §230.44(1)(b) of the denial of appellant's request to reclassify her position from a Library Services Assistant 1 to a Library Services Assistant 2.

FINDINGS OF FACTS

- 1) At all times relevant to this matter, the appellant was employed in the Reference Department in the Karrmann Library at the University of Wisconsin-Platteville. The Karrmann Library is the main campus library.
- 2) The Karrmann Library is comprised organizational of the following 5 major units: Public Services; Technical Services; Special Collection Services; Administrative Services; and Collection Development. The Reference Department is one of five subunits located within the Public Services unit. The other four subunits in Public Services are: Bibliographic Instruction; Circulation/Resources; Interlibrary Loan/Periodicals; and Database Searches.
- 3) The Reference Department (also referred to as the Reference Library) is staffed with four academic staff librarians, two classified positions, and 3-4 student assistants. Ms. Cheryl Becker is a full time academic staff librarian, who is designated as the Reference Coordinator. The remaining three academic staff librarians are part time (approximately 1/2 time) and are assigned specific areas of responsibility such as paperbacks, government publications/maps or collection development in specific academic areas. In addition to appellant's full time classified position (Library Services Assistant 1),

there is a half time (50%) position classified as a Library Services Assistant 2 (LSA 2) assigned to the Reference Department. The position was initially filled in September, 1987, by Joanne Temby, while appellant was on vacation. Ms. Temby is also employed in another 50% LSA 2 position in the Catalogue Department which is a part of the Technical Services Unit.

4) In January, 1987, Ms. Cheryl Becker assumed responsibility for directing the Reference Department. In this role, Ms. Becker serves as appellant's supervisor. Ms. Becker reports directly to Mr. Jerome Daniels who is the Library Director.

5) The Reference Department (or Library) is used by students for research, as well as by faculty, the general public and area schools.

6) In September of 1983, appellant's position was classified as a Clerical Assistant 2. The position's duties and responsibilities were accurately reflected in appellant's position description dated 9/14/83 (Respondent's Exhibit #7).

Position Summary

Function as secretary to Reference and Bibliographic Instruction Coordinator and other Reference and General Library Orientation Librarian. Perform secretarial, supportive and specialized library-oriented duties.

TIME % GOALS AND WORKER ACTIVITIES

68%	Goal A: Reference Department
20%	Goal B: Uncataloged Reference Materials
5%	Goal C: Process Paperbacks for Browsing Collection
5%	Goal D: General Orientation Librarian Secretary
2%	Goal E: Student Assistant Responsibilities

7) Based on appellant's 1983 PD, her position was laterally reallocated from Clerical Assistant 2 to Library Services Assistant 1 on October 28, 1984. In a letter attached to the reallocation notice (Respondent's Exhibit #6), respondent stated that the functions assigned to appellant's position were basically clerical in nature and that there had not been any substantial change in the duties and responsibilities assigned to the position. However, the respondent concluded that since the clerical functions were specialized, in the sense that they related to library work instead of general office work, the position was

more appropriately classified in the Library Services Assistant (LSA) series, specifically at the LSA 1 level.

8) In June, 1987, appellant submitted a revised position description (PD) to Ms. Becker for her review and consideration as to the appropriateness of appellant's classification. On both February 17, 1988, (Appellant's Exhibit #2), and April 11, 1988, (Appellant's Exhibit #3), the appellant wrote to Ms. Becker and Mr. Daniels requesting reclassification of her position and identifying the changes that had occurred in her position which she felt justified her request. (Appellant's Exhibit #2 and # 3 respectively). A new position description dated May 31, 1988 was subsequently developed and signed. (Respondent's Exhibit #5)

9) In August, 1988, appellant wrote directly to the UW-Platteville personnel manager, Ms. Kathleen Kelley, asking that her position be reclassified. (Appellant's Exhibit #5) This request was made by appellant in order to get some action on her request and to resolve some disagreement between appellant and her superiors about the position description and the time percentages for certain tasks.

10) Ms. Kelley's review of appellant's position was based on a PD which was signed by Mr. Daniels and appellant (and initialed by Ms. Becker) on August 18, 1988. (Respondent's Exhibit #4). Ms. Kelley conducted her review on October 18, 1989, and signed the PD on December 7, 1989. The initials of appellant and Ms. Becker, with a date of 12/5/89, appear on each of the pages of the PD which identify the goals and worker activities.

11) The August, 1988, PD referred to in Finding #10 above accurately describes the duties and responsibilities of appellant's position as follows:

Position Summary

Function as support staff in the Reference Department, for the Reference Coordinator, Bibliographic Instruction Coordinator, and other reference librarians. Perform clerical, supportive and library-oriented duties.

TIME % GOALS AND WORKER ACTIVITIES

33% GOAL 1: Supportive Assistance Within the Reference Department (January 1987)

- | | | |
|-----------|------|--|
| W.A
9% | 1.1 | Target (or delegate targeting to student assistants of) all reference materials received from Cataloging Department. Mark books for Reference Desk collection. Search for reference books noted as missing and reshelve misplaced books. Process removal of reference books designated by Reference Coordinator for storage. Assist in shifting books in collection. |
| 6.4% | 1.2 | Keep reference area orderly, and coordinate this responsibility with person in charge of student supervisors. |
| 5% | 1.3 | Plan, organize and complete work, consulting with librarians as need arises. Perform assigned tasks relating to operation and public service of Reference Department. Provide input on procedural matters of department. Maintain Reference Office manual. |
| 3% | 1.4 | Check stacks for overdue reference books to see if returned. If not, contact person. |
| 3% | 1.5 | Assist librarians with special projects as requested, such as reorganizing the storage collection and updating the Ready Reference collection file. |
| 2% | 1.6 | Provide assistance with library displays, as necessary. |
| 2% | 1.7 | Answer directional questions. Within training and experience give assistance to library users for resources including card and computer catalogs, periodical list, microfiche readers, and indexes on microfilm. Refer patrons to librarians for reference questions. |
| 1% | 1.8 | Install newly received microfilm reels in ROM readers monthly. Adjust machines and perform minor equipment repairs, report major repairs, and request replacement machines as directed. |
| 1% | 1.9 | Retrieve materials from library collections for specific items identified by librarians. Refer to library catalogs to assist in locating those items requested by librarians. |
| .5% | 1.10 | Attend library staff meetings and other training sessions as appropriate. |
| .1% | 1.11 | Assist and cooperate in other departments as needed. |

TIME % GOALS AND WORKER ACTIVITIES

32% GOAL 2: Clerical Support for Reference Department
(June 1979)

- W.A. 2.1 Use microcomputer word processing and
5% file management programs as directed for
department operations.
- 5% 2.2 From rough draft use word processor to set
up new and revised introductory library
guides, according to specifications
determined by librarians. Offer
suggestions for layout of guides.
- 5% 2.3 Maintain file of originals of handouts and
forms used by the department. Duplicate,
or arrange for printing of forms as needed.
Maintain inventory of handouts and forms
for use by department and library. Assist
librarians in design of forms as needed and
requested.
- 5% 2.4 Prepare (using word processor or
typewriter) correspondence, memos,
reports, etc. as requested by reference
librarians. Make photocopies as needed.
Sort and open departmental mail.
- 4% 2.5 Type and send public information items as
initiated by library's Public Information
Officer and Public Information Committee.
Use microcomputer file management
program to list library public information
activities.
- 3% 2.6 Compile reference department statistics
weekly. Report weekly and yearly
statistics. Provide selected statistics as
requested.
- 2% 2.7 Receive and relay phone messages.
Answer directional questions by phone.
- 2% 2.8 Request and receive necessary office
supplies for department.
- 1% 2.9 Keep calendar of reference staff schedules.
- 16% GOAL 3: Support Staff for Bibliographic Instruction
Coordinator (June 1979)
- W.A. 3.1 Gather indexes and other materials
5% identified by bibliographic Instruction
Coordinator for classes. Place usage notice
of these items at reference desk. Return
materials following completion of class use.
- 5% 3.2 According to guidelines established by
librarians, maintain orientation collection
of superseded materials for classes.
- 2% 3.3 Arrange for reference desk substitutes as
needed.
- 2% 3.4 Collate (or delegate collation to student
assistants of) packets for classes and of
library handouts selected by librarian.

- 2% 3.5 From rough draft copy use word processor to prepare library exercises sheets and revise as directed.
- 14% GOAL 4: Maintain Library Collection of Uncataloged Reference Materials-College Catalogs and Phonebooks (October 1981)
- W.A. 4.1 Yearly request new college catalogs in print format for UW System schools and Vocational/Technical schools in Wisconsin and Dubuque. Discard superseded catalogs. Retain catalogs for current year only. Order replacements for missing catalogs. Process summer session bulletins.
- 3% 4.2 File (or delegate filing to student assistants of) updated college catalogs on microfiche as received. Maintain two years in collection. Place previous years in storage, according to guidelines determined by librarians. Withdraw superseded paper index to college catalogs on microfiche and prepare new index.
- 2% 4.3 Place ownership stamp on and target new telephone books in paper format as received. Remove superseded copies. Maintain index file. Report missing issues. Report patron requests for phonebooks not included in collection.
- 2% 4.4 Check accuracy of each shipment of Phonefiche. File (or delegate filing to students assistants of) new supplements. Withdraw superseded fiche and index, and send to Alumni Office. Target and place ownership stamp on new paper index.
- 2% 4.5 Request replace of fiche identified as missing by library student supervisors.
- 2% 4.6 Compile yearly statistics of holdings of uncataloged reference materials.
- 5% GOAL 5: Student Assistant Responsibilities (June 1979)
- W.A. 5.1 Provide input on number of student hours needed for department. Provide input on student interviews.
- 1% 5.2 Assign work as necessary and as requested by librarians. Help train and supervise students in such things as: targeting procedures, answering phones, operating copy machines, shelving books, reading shelves, and collating packets for orientation classes.

- 1% 5.3 Verify accuracy of students' clerical work when necessary; for example, counting to see that the correct number of packets have been collated.
- 1% 5.4 Monitor student work hours. Keep student work schedules. Sign time cards and total work hours bi-monthly.
- 1% 5.5 Consult with librarians to see that immediate daily activities are continued when student assistants are unable to work.

12) Generally, the differences between the 1983 PD (Finding #6) and the 1988 PD are:

a) Goal A (Reference Department Secretary) on the 1983 PD has been reidentified on the 1988 PD as Goal 1 (Supportive Assistant Within the Reference Department) and Goal 2 (Clerical Support for Reference Department), and the percentage of time changed from 68% for Goal A on the 1983 PD to 33% for Goal 1 and 32% for Goal 2 on the 1988 PD.

b) Goal B (Uncatalogued Reference Materials) on the 1983 PD has been identified on the 1988 PD as Goal 4 (Maintain Library Collection of Uncatalogued Reference Materials - College Catalogued and Phonebooks), and the time percentage reduced from 20% on the 1983 PD to 14% on the 1988 PD.

c) Goal C (Process Paperbacks for Browsing Collection) on the 1983 PD is no longer a responsibility of appellant.

d) Goal D (General Orientation Librarian Secretary) on the 1983 PD has been redefined as Goal 3 (Support Staff for Bibliographic Instruction Coordinator) on the 1988 PD, and the time percentage increased from 5% on the 1983 PD to 16% on the 1988 PD.

e) Student Assistant Responsibilities are identified as Goal E on the 1983 PD and as Goal 5 on the 1988 PD. The time percentage has increased from 2% on the 1983 PD to 5% on the 1988 PD.

13. In November, 1989, appellant sent a memorandum to Ms. Kelley, Ms. Becker and Mr. Daniels indicating that she disagreed with the percentages of time assigned to certain goals and worker

activities, which she identified on a copy of the 1988 PD and attached to her memorandum. The areas of disagreement are:

<u>GOAL AND WORKER ACTIVITY</u>		<u>TIME % on 1988 PD</u>	<u>TIME % Identified by Appellant</u>
Goal 1	(Supportive Assistance within the Reference Department	33%	45%
	Worker Activity 1.1	(9%)	(7%)
	Worker Activity 1.2	(6.4%)	(2.4%)
	Worker Activity 1.3	(5%)	(15%)
	Worker Activity 1.5	(3%)	(5%)
	Worker Activity 1.7	(2%)	(7%)
	Worker Activity 1.9	(1%)	(2%)
Goal 2	(Clerical Support for Reference Department)	32%	25%
Goal 4	(Maintain Library Collection of Uncatalogued Materials - College Catalogues and Phonebooks)	14%	9%

There was no indication of time percentage changes for specific worker activities under Goal 2 or Goal 4 to make their total consistent with the reduction in time percentage for the overall goal.

14) The appellant's February 17, 1988 and April 11, 1988 memorandum (See Finding #8) indicated the following concerning the changes in her position:

- a) Acquiring of additional experience and knowledge in the library (particularly the reference area), which enabled her to provide more assistance to users of the library.
- b) Answering of reference questions during busy times at the reference desk, and during times when librarians are not available (meetings and shortened summer schedules).
- c) Providing assistance and serving as resource to new professional librarians regarding library operations.
- d) Increased involvement in training and directing students.
- e) Increased number of orientation classes put on by the librarians requiring more and varied packets of information.
- f) Providing assistance to librarians in creating and revising library guides and forms.
- g) Providing assistance in the filing and shelving of abstracts and indexes into the Reference Collection.

h) Performance of three special projects related to checking master card files against books actually in a particular collection or location (B1A storage, reference desks, and atlases), making corrections so that master card files matched the actual collection, and then putting the updated list into a computerized system.

15) In a memorandum dated November 7, 1989, Ms. Kelley informed appellant that her request for reclassification was denied. Ms. Kelley stated the following in her memo concerning the disagreement over time percentages:

* * *

"Ms. Manning is in disagreement with the percentages of time assigned in Goals 1, 2 and 4. Ms. Kelley met with Ms. Manning and Mr. Daniels on separate occasions in an attempt to resolve this matter. In Ms. Kelley's opinion, the percentages presented below accurately reflect the amount of time assigned to the position by Ms. Becker, Librarian, and Mr. Daniels, Director of Library, to complete the assigned tasks."

* * *

Ms. Kelley further indicates the following in her memorandum concerning changes which had occurred in the appellant's position.

* * *

"JOB CHANGE

Ms. Manning's duties under Goal 1 have been divided into Goals 1 and 2, reference, clerical support services. Ms. Manning has not been assigned new or expanded duties under Goal 1 in the amount of 33%. The majority of the duties assigned to Goal 1 were included under Goal 1 in the previous position description. The duties which have been expanded include providing assistance to library users for resources including card and computer catalogs, 2%; answers Reference Desk phone 8:00 a.m. - 9:00 a.m. and answers basic reference questions in absence of professional librarian, 1%; targeting reference materials received from cataloging and marking books for Reference Desk Collection and process removal of reference books for storage, 9%.

Ms. Manning's duties were expanded under Goal 3, Support Staff or Bibliographic Instruction Coordinator, from 10% to 16%. The duties assigned remain unchanged, but the time assigned has increased due to increased number of classes scheduled. Finally, under Goal 4, Ms. Manning has been assigned additional time, 10% to 14%, to maintain Library Collection of Uncataloged Reference Materials.

Ms. Manning has been assigned more time, 2% to 5%, under Goal 5, Student Assistant Responsibilities. Ms. Manning no longer processes paperbacks, 5%. She does continue to keep reference area orderly and coordinates this responsibility with person in charge of student supervisors, 6.4%. Under Goal 2, Ms. Manning does continue to photocopy and use microcomputer word processor or typewriter, 32%.

Overall, Ms. Manning's duties have not changed substantially since her 1983 position description. I have reviewed the job changes which have taken place with her 1983 position description, the May 31, 1988 position description and the August 1988 position description. The major difference in the position description has been the division of her duties into two goals for supportive assistance to the Reference Department and clerical support for the Reference Department. The overall percentage of time assigned to these two areas is actually 65% as compared to 68% under her 1983 position description.

Finally, Ms. Kelley compared the duties and responsibilities of appellant's position to the classification specifications for LSA 1 and LSA 2 and concluded that the majority of appellant's duties and responsibilities were identified at the LSA 1 level. Ms. Kelley identified worker activities 1.3 (5%) and 1.7 (2%), and all the worker activities under Goal 5 (5%) as being at the LSA 2 level.

16) The appellant appealed Ms. Kelley's decision to Mr. James Cimino in the Office of Personnel Services/Employe Relations of the University of Wisconsin System in a letter dated December 26, 1989. (Appellant's Exhibit #9) Appellant reiterated in her letter many of the job changes she had previously identified (See Finding #13). In addition, appellant indicated that she provided public service at all times, not just when the librarians are not there, and that she had involvement in getting out informational articles about Karrmann Library when that function was transferred from the Acquisition Department to the Reference Department.

17) Mr. Cimino upheld the denial of appellant's reclassification request, and informed appellant of his decision in a letter dated January 5, 1990. (Respondent's Exhibit #9) In addition to supporting the finding in Ms. Kelley's denial letter, Mr. Cimino added the following:

"In regard to the comparison of your position to the classification specifications, further comment is warranted. In reviewing your position description one finds that many of your tasks are basic clerical functions which are operational in nature, do not require specialized technical skills and do not require independent judgement. Nearly all of the tasks assigned to your position may be found in the specification of work examples for one of the

following classification titles: Clerical Assistant 2, Typist and Library Services Assistant 1. Each of these classification titles are assigned to pay range 7."

18) The specifications for Clerical Assistant 2 provide, in pertinent part, the following:

Class Description

CLERICAL ASSISTANT 2

This is 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.

19) The specifications for Typist provide, in pertinent part, the following:

Typist

This is full performance level clerical work of moderate difficulty in completing a variety of assigned clerical and typing tasks. Positions allocated to this class perform typing duties requiring typing proficiency at least 25% of the time. Typing projects require independent consideration of format, grammar, spelling and use of unique or specialized terminology.

20) The specification for the Library Services Assistant series provide, in pertinent part, the following:

**LIBRARY SERVICES ASSISTANT
Position Standard**

* * *

G. Classification Factors

Because of the variety of library programs and their varying degrees of complexity, individual position allocations have and will be based upon general classification factors such as those listed below:

1. The diversity, complexity, and scope of the assigned program, project, staff responsibilities, or activities;
2. 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;

3. 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;
4. The potential impact of policy and/or program decisions on state and non-state agencies, organizations, and individuals;
5. The nature and level of internal and external coordination and communication required to accomplish objectives;
6. The difficulty, frequency, and sensitivity of decisions which are required to accomplish objectives and the level of independence for making such decisions.

II. CLASS DESCRIPTIONS

The following class descriptions define the basic concept for each classification level. As previously mentioned, several different areas of specialization and position categories exist within this occupational area and it is recognized that this position standard cannot describe every eventuality or combination of duties and responsibilities. Therefore, these class descriptions are also intended to be used as a framework within which positions not specifically defined can be equitably (allocated) on a class factor comparison basis with other position which have been specifically allocated.

Library Services Assistant 1

This is clerical support work in the performance of basic operational library functions. Positions allocated to this level require a general understanding of library practices and procedures. Positions at this level perform a variety of basic library tasks such as: shelving books, checking books in and out, verifying new book order shipments, performing simple bindery tasks, answering basic procedural and informational questions, etc. Work is performed under general supervision.

Library Services Assistant 2

This is clerical support work in the performance of specialized support or basic support services in a library. Positions allocated to this level do not require advanced

technical skills, but do require basic technical skills and a general background in, or knowledge of library practices and procedures. Positions function more independently at this level and exercise judgment and discretion in making decisions within established library policies and procedures. Also allocated to this level are position which function as leadworkers over lower level library personnel and students. The work is performed under general supervision.

* * *

Work Examples - Library Services Assistant 1

Assists patrons in the use of library facilities.
Calls in overdue books.
Marks books for shelving according to well-defined procedures.
Maintains statistics for reports.
Assists in ordering materials.
Records issues of periodicals received.
Receives requests for the placing of materials on reserve.
Alphabetizes and files paid invoices in appropriate files.
Uses OCLC terminal to do bibliographic searching of monographs.
Prepares, mounts and indexes pictures, clippings and other material.

Work Examples - Library Services Assistant 2

Answers reference and research questions using basic reference materials such as encyclopedia, telephone books, atlases, etc.
Types and files catalog cards according to well-defined procedures (Ex. shelf list).
Locates books and other materials for reserved book operations and returns them to general circulation after reserved period.
Searches stacks for completed volumes of serials and prepares them for binding.
Trains and directs student employees.
Checks in and sorts OCLC cards.
Instructs patrons in use of audio visual equipment.
Processes materials for inter-library loan process.
Uses OCLC terminal to search serials, and/or input monographs on the data base. Has partial authorization to produce catalog cards.
Explains circulation policies and procedures to users.
Process faculty submitted lists of materials requested for reserve.

* * *

21) During the hearing, the respondent offered the following Library Services Assistant 1 position for comparison purposes.

Christine Leitner - University of Wisconsin - Milwaukee - Golda Meir Library, (PD dated April 4, 1988);

Position is responsible for processing incoming requests (60%), assisting patrons and performing miscellaneous duties related to lending activities (30%) and handling routine correspondence and records for lending (10%). The processing of incoming requests involves searching and retrieving material from the stacks, charging out material at the collection desk, and receiving and processing OCLC messages and TWX's requesting material.

22) The respondent introduced the following Library Services Assistant 2 positions for comparison purposes during the hearing.

a) Joanne Temby - UW - Platteville - Karrmann Library (PD dated July 30, 1987).

Position Summary

Assist Reference Department in preparing printed library bibliographic guides and assist with general library instruction and orientation. Provide support service and perform database searches for the Reference Department. Prepare card production copy for all IML books and audiovisual materials. Hire and supervise Catalog Department student assistants. Produce catalog cards on OCLC terminal and maintain Catalog Department files.

TIME % GOALS AND WORKER ACTIVITIES

Reference Department - 50%

- 30% Goal A: Assist in the preparation of printed library bibliographic guides coordinated by the Reference Department
- 10% Goal B: Provide support services for Reference Department
- 5% Goal C: Assist with general Library instruction/orientation
- 5% Goal D: Perform database searches

TIME % GOALS AND WORKER ACTIVITIES

Catalogue Department - 50%

- 20% Goal E: Preparation of copy for all IML books and all audiovisual materials for card production
- 10% Goal F: Supervision of Catalog Department student assistants
- 5% Goal G: Production of catalogue cards on OCLC terminal
- 5% Goal H: Maintenance of Catalogue Department files
- 5% Goal I: Miscellaneous responsibilities

b) Myrtle L. Weber - UW - Platteville - Karrmann Library. (PD dated February 8, 1985).

Position Summary

Assists in processing and claiming orders for library material and the maintenance of associated financial records. Maintains the automated acquisitions system including the processing of all necessary corrections and changes to computer files. Also maintains library equipment and supply accounts.

TIME % GOALS AND WORKER ACTIVITIES

30%	Goal I: Process Acquisition orders
20%	Goal II: Maintain Financial Records
15%	Goal III: Maintain Automated Acquisition System
10%	Goal IV: Process Special Orders
15%	Goal V: Coordinate and Maintain Library Supplies and Equipment Accounts
5%	Goal VI: Monitor Library Allocations and Expenditures
5%	Goal VII: Miscellaneous Secretarial Work.

23) Appellant presented the following LSA 2 positions for comparative purposes for at the hearing.

a) Agnes M. Boll - UW - Platteville - Karrmann Library (PD dated June 7, 1982).

Position Summary

Assist in the processing of orders for print material and supervise the return of unwanted material. Assist in maintaining order records and updating the computer files. Reconcile the Acquisitions Department financial reports with the University Business Office ledgers and initiate any necessary corrections. Also works as attendant in the Special Collections Rooms and takes charge of the Special Collections Rooms reference activities in the absence of the librarian.

TIME % GOALS AND WORKER ACTIVITIES

30%	Goal A: Processing of Orders
10%	Goal B: Maintaining Order Records
10%	Goal C: Special Orders
10%	Goal D: Assist in Maintenance of Financial Records
40%	Goal E: Special Collection Rooms (Wisconsin Room, Historical Collection, Archives) Reference Assistant

b) Myrtle Weber - UW - Platteville - Karrmann Library (PD dated April 11, 1984).

This is an earlier PD for the same employe and position that respondent introduced (See Finding #22b). While there are wording differences between the two PD's, they identify basically the same functions (goals and worker activities) at the same classification level (LSA 2). The PD introduced by respondent accurately reflects this position's duties and responsibilities.

24) The duties and responsibilities of appellant's position are best described in the Position Standard for the LSA 1 classification, and are more closely comparable to the LSA 1 positions offered for comparison purposes on the hearing record.

CONCLUSIONS OF LAW

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

2) The appellant has the burden to prove the preponderance of evidence 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 reclassification from the LSA 1 to LSA 2 level was not incorrect, and appellant's position is more appropriately classified at the ESA 1 level.

DISCUSSION

In cases involving the correctness of a position classification action, the Commission has consistently held that they 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 specification (or position standard) does not provide a clear basis to distinguish positions, then the Commission will look at comparable positions. Saindon v. DER, 85-0212-PC, 10/9/86.

In order for a position to be reclassified to higher level the majority of that position's duties and responsibilities must be identified by the higher level classification specification. While it is not uncommon for a position to be assigned duties and responsibilities which are identified at different levels, the majority of the position's overall responsibilities must be identified at the higher classification level in order to warrant reclassification. In the instant case, this requires that there be changes in the position's functions which are

significant enough to cause a majority of its duties and responsibilities to be at a different classification level. (Ghilardi & Ludwig v. DER, 87-0026, 0027-PC, 4/14/88)

In this case, the dispute is not over what duties and responsibilities are assigned to the position. Rather, appellant contends that the time percentages used are incorrect and do not properly reflect the level and scope of duties and responsibilities assigned to the position.

The critical factor is what work is assigned to and performed by the position. Matters such as employe performance or the volume of work are not relevant classification factors in moving a position from the LSA 1 level to the LSA 2 level. In a like manner, the fact that an employe has the skills and knowledges to perform higher level functions, even if coupled with the fact that higher level functions may be available, is not a relevant consideration for reclassification of a position if these higher level functions are not assigned to or performed by the position a majority of the time.

The appellant also argues that the LSA series is a progression series, particularly the movement from LSA 1 to LSA 2. To the extent that appellant asserts that movement from LSA 1 to LSA 2 is automatic based on acquisition of experience in the library, the specifications do not support this contention. While the language of the specification contains some vagaries, it is clear that movement from the LSA 1 to LSA 2 is not automatic but requires some increase in the scope and level of duties and responsibilities.

Specifically, the position standard for the LSA series provides the following definition and work examples for the LSA 1 and LSA 2 under the heading of Class Description:

Library Services Assistant 1

This is clerical support work in the performance of basic operational library functions. Positions allocated to this level require a general understanding of library practices and procedures. Position at this level perform a variety of basic library tasks such as: shelving books, checking books in and out, verifying new book order shipments, performing simple bindery tasks, answering basic procedural and information questions, etc. Work is performed under general supervision. (emphasis added)

Library Services Assistant 2

This is clerical support work in the performance of specialized support or basic support services in a library. Positions allocated to this level do not require advanced technical skills, but do require basic technical skills and a general background in, or knowledge of library practices and procedures. Positions function more independently at this level and exercise judgment and discretion in making decisions within established library policies and procedures. . . . The work is performed under general supervision. (emphasis added)

* * *

Work Examples - Library Services Assistant 1

Assists patrons in the use of library facilities.
Calls in overdue books.
Marks books for shelving according to well-defined procedures.
Maintains statistics for reports.
Assists in ordering materials.
Records issues of periodicals received.
Receives requests for the placing of materials on reserve.
Alphabetizes and files paid invoices in appropriate files.
Uses OCLC terminal to do bibliographic searching of monographs.
Prepares, mounts and indexes pictures, clippings and other material.

Work Examples - Library Services Assistant 2

Answers reference and research questions using basic reference materials such as encyclopedia, telephone books, atlases, etc.
Types and files catalog cards according to well-defined procedures (Ex. shelf list).
Locates books and other materials for reserved book operations and returns them to general circulation after reserved period.
Searches stacks for completed volumes of serials and prepares them for binding.
Trains and directs student employees.
Checks in and sorts OCLC cards.
Instructs patrons in use of audio visual equipment.
Processes materials for inter-library loan process.
Uses OCLC terminal to search serials, and/or input monographs on the data base. Has partial authorization to produce catalog cards.
Explains circulation policies and procedures to users. Process faculty submitted lists of materials requested for reserve.

Both LSA 1 and LSA 2 identify clerical support work in a library. The difference between the LSA 1 and 2 is that at the LSA 1 level positions perform "basic operational library functions" which "require a general understanding of library practices and procedures," while at the LSA 2 level positions perform "specialized support or basic support services in a library" which requires "basic technical skills and a general background in, or knowledge of library, practices and procedures."

The record in this case does not provide any information as to the differences between a "general understanding of" requirement at the LSA 1 level and the "general background in, or knowledge of" requirement at the LSA 2 level. For purposes of this proceeding, the Commission will assume there is very little difference between them, and that appellant's experience at least gives her the knowledge bases referred to at the LSA 2 level.

The critical issue to be determined, then, is what is the difference between performing "basic operational library functions" at the LSA 1 level and "specialized support or basic support services in a library" at the LSA 2 level. Again the record contains no specific information on how this difference is determined. The Commission must rely, therefore, on the information presented in the position comparisons as well as respondent's evaluation of the duties and responsibilities of appellant's position in relation to the classification specifications.

Appellant has the burden of proof to show that respondent's decision was incorrect, i.e. that their evaluation was not correct. In this regard, appellant identified a number of changes (See Finding #7) which had occurred in her position since she was reallocated to an LSA 1 in 1984 based on her PD of 1983 (See Findings #6 and #7). These changes basically result from her increased knowledge of library practices and procedures gained during her many years of experience working in the library.

The respondent argues that while appellant may have this additional knowledge she is not assigned duties, such as answering reference questions, which require the use of this knowledge. Appellant had been instructed to answer only directional questions (where are things generally) and not reference questions (how to find specific information). Reference questions were to be handled by the professional librarians.

In this regard, the appellant raised the issue of what she does and the time percentages associated with it. The Commission will review both appellant's November 1989, memorandum (Finding #13) in which she disagrees with certain time percentages in Goal 1, 2 and 4, and appellant's current position description (Finding #11) dated December 5, 1989.

The Work Examples at the LSA 1 level identifies assisting "patrons in the use of library facilities," while the Work Examples at the LSA 2 level identifies "answers reference and research questions using basic references materials such as encyclopedias, telephone books, atlases, etc. Appellant's PD indicates she is responsible 14% of her time under Goal 4 for maintaining uncatalogued references, such as phonebooks, and, in addition, did a project which involved updating the listing of atlases and putting the list on the computer. Appellant's representation that she answers questions (other than where things are located) appears to be supported not only by her knowledge and ability to do these functions but also based on the duties and responsibilities assigned to her position.

Respondent has stated that appellant's responsibilities under "Goal 5: Student Assistant Responsibilities (5%)" is appropriately identified at the LSA 2 level. In addition, respondent indicated that some of the tasks under 1.3 (5%) and 1.7 (2%) on appellant's PD are appropriately assigned to the LSA 2 level. If appellant were given the total time percentages for these two tasks (1.3 and 1.7), it would amount to 7%.

Combining the 14% for Goal 4 and the 12% respondent identified at the LSA 2 level would result in a total of 26%. Using the time percentages for these goals and activities contained in appellant's November, 1989, memorandum, would raise the percentage of time spent on LSA 2 level activities to 36%. This does not constitute a majority of the position's time. Since the record does not contain any other information showing how appellant's duties and responsibilities are covered by the LSA 2 specification, the final matter to be reviewed is the position comparisons introduced by the appellant.

Specifically, this involved the positions of Agnes Boll and Myrtle Weber. In the case of the position of Agnes Boll, it is clear that 40% of her time is spent on LSA 2 level functions when she serves as the reference assistant for the Special Collections Room. (See Goal E in Finding #23a) In reviewing Goals A through D of Ms. Boll's position description and the specific tasks assigned to

them, many of them could be categorized as "clerical support work in basic operational library functions." However, the tasks associated with processing orders (Goal A, B and C) and maintaining financial records (Goal D) involve more independent overall responsibility for the activities consistent with the specialized support definition and level of independence identified at the LSA 2 level.

The position description for the position held by Myrtle Weber also appears to identify a number of tasks under Goal I (Process Acquisition Orders) - 30%, Goal II (Maintain Financial Records) - 20%, Goal IV (Process Special Orders) - 10%, and Goal VII (Miscellaneous Secretarial Work) - 5% which would fall under the definition and work examples at the LSA 1 level. Again, the specialized support associated with processing orders and maintaining financial records represent the type and level of responsibility identified at the LSA 2 level.

Additionally, in reviewing the position held by Joanne Temby, it appears that the 50% of her position that is assigned to the Reference Department has responsibilities which are greater than those of appellant. Specifically, some worker activities under Goal A - Library Bibliographic Guides (30%), and Goal D - Perform Database Searches (5%). The remainder of her work activities appear to be similar to appellant's. However, Ms. Temby's responsibilities the remaining 50% of her time in the Catalog Department identify a number of tasks at the LSA 2 level. Specifically, Goal E, F, and G which total 40%. This in combination with the functions performed in the Reference Department (Goal D and a portion of Goal A identified above) provide a basis for identifying the position as an LSA 2.

The respondent also introduced a LSA 1 position (Christine Leitner) as comparable to appellant's. This position identifies clerical functions which are very similar to appellant's. In addition, some of the functions assigned to this position, e.g. processing OCLC messages and requests, are identified at the LSA 2 level. However, much like the appellant's position, these higher level functions do not comprise the majority of the position's assigned duties and responsibilities.

In reviewing the PD of appellant in light of these comparisons, it is difficult, based on the record, to identify additional goals and/or tasks that would be appropriately identified at the LSA 2 level. As indicated before, tasks asso-

ciated with Goal 4 (14%), Goal 5 (5%) and at least some portion of Goal 1 (7%) are identifiable at the LSA 2 level. The tasks associated with the remainder of Goal 1, Goal 2 and Goal 3 all appear best defined by the definition and work examples of the LSA 1 level, or by classifications in a comparable pay range to the LSA 1 classification, e.g. Clerical Assistant 2 and Typist. Consequently, with only about 26% of the position's time spent at the LSA 2 level, the majority of the position's time is spent in functions appropriately identified at the LSA 1 level. Even using the time percentages identified by appellant in her November, 1989 memorandum (Finding #13), the percentages associated with LSA 2 level functions would be 36%, i.e. Worker Activities 1.3 (15%) and 1.7 (7%), Goal 4 (9%) and Goal 5 (5%).

Appellant argues that she could do higher level work, and respondent could have found some higher level work and worded her PD in such a way to warrant an LSA 2 classification. This assertion is not supported on the record by any identification of what higher level work was being referred to and how it (higher level work) would result in the majority of the duties and responsibilities appellant's position being best identified at the LSA 2 level.

Appellant also asserts that management did not want to reclassify her position, and, therefore, didn't assign her any higher level duties and responsibilities. Appellant points to the fact that there are very few LSA 1's in state service, and that a 50% LSA 2 position was filled when she was on vacation by Ms. Joanne Temby. (See Finding #3). Other than the implication of management taking an action "behind her back," there was no information provided on whether appellant would have taken the job or been able to perform the work. As was indicated previously, the position filled by Ms. Temby was divided between the Reference Department (50%) and the Catalog Department (50%), and it was primarily the functions in the Catalog Department that caused the position to be at the LSA 2 level.

These assertions by appellant do not strengthen her case to show that the majority of the duties and responsibilities assigned to her position are more appropriately identified at the LSA 2 level rather than at the LSA 1 level. The number of positions at a certain classification level or the identification of a position in her department at a higher level do not, in and of themselves, justify reclassification of her position to the LSA 2 level.

Based on the record in this case, the Commission must conclude that the appellant's position is best described by the LSA 1 classification and that it does not compare favorably to the LSA 2 position comparison introduced at the hearing. Consequently, respondent's denial of appellant's request to be reclassified from LSA 1 to LSA 2 was not incorrect.

ORDER

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

Dated: _____, 1990 STATE PERSONNEL COMMISSION

LAURIE R. McCALLUM, Chairperson

GFH/gdt/2

DONALD R. MURPHY, Commissioner

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