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GORDON R. PRIEGEL,  
 Appellant,

v.

Secretary, DEPARTMENT OF  
 EMPLOYMENT RELATIONS, and  
 Secretary, DEPARTMENT OF NATURAL  
 RESOURCES,  
 Respondents.

Case No. 90-0135-PC

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DECISION  
AND  
ORDER

Nature of the Case

This is an appeal of a reclassification decision. A hearing was held on August 30, 1990, before Laurie R. McCallum, Chairperson.

Findings of Fact

1. At all times relevant to this matter, appellant has been employed in a position in the classified civil service in the Southern District Office of respondent DNR.
2. During 1989, respondent reorganized its district offices. This reorganization included the elimination of the district area director positions. In respondent's Southern District Office, one of the responsibilities of the area director position had been to supervise the fisheries staff. As a result of the reorganization, this responsibility was assigned to appellant's position. This was the only change in appellant's duties and responsibilities resulting from the reorganization and the only significant change in the duties and responsibil-

ities of appellant's position since this position was reallocated to the Natural Resource Supervisor 5-Management classification on April 14, 1985.

3. Respondents decided to reclassify appellant's position from Natural Resource Supervisor 5-Management (PR 01-16) to Natural Resource Administrator 2 (NRA 2) (PR 01-17) on February 26, 1990. Appellant filed a timely appeal of this action with the Commission. The duties and responsibilities of appellant's position at the time of this reclassification action were as follows:

45% A. Management of the fisheries program for the Southern district in a staff capacity.

20% B. Supervision of the fisheries staff in the Southern District's three administrative areas.

15% C. Supervision of District Operations crew in a line capacity.

10% D. Management of the Nevin, Lake Mills, and Westfield fish hatcheries.

10% E. Implementation and maintenance of the district fleet (District Fleet Manager).

4% F. Implementation and maintenance of the statewide electrofishing program.

4% G. Represent DNR on committees resulting from GREAT II.

2% H. Provide direction and assistance in the development and implementation of the department's affirmative action/equal employment opportunity program.

4. Appellant's position reports to the Assistant District Director whose position is classified as a Natural Resource Administrator 3 (PR 01-18).

5. The position standard for the Natural Resource Administrator series provides as follows, in regard to positions assigned to district offices:

Major Programs

Major programs as described within this specification . . . include Solid Waste, Water Supply, Water Resources Management, Water Regulation and Zoning, Wastewater, Air, Environmental Analysis

and Review, Fish Management, Wildlife Management, Forest Management, Fire Control, Parks, Research, and Resource Management and Environmental Protection Law Enforcement.

#### NATURAL RESOURCE ADMINISTRATOR 2

##### Definition:

Positions allocated to this class typically function in one of the following capacities: . . . (2) as a chief of a multi-faceted program section in a DNR district office with responsibility for planning and directing the implementation of departmental policies districtwide; . . .

#### NATURAL RESOURCE ADMINISTRATOR 3

##### Definition:

Positions allocated to this class typically function in one of the following capacities: (1) as the assistant district director of a DNR district with responsibility for planning and directing the implementation of all resource management or environmental protection programs in the district where the components of the departmental program are fully developed and operational in the district; . . .

5. The only district office positions which are classified at the NRA 3 level but which do not function as assistant district director positions are those which supervise two major department programs at the district level and which report to a position whose classification is in PR 01-19.

6. The supervisors of the fish management programs in respondent DNR's other districts are classified at the NRA 2 level.

7. The duties and responsibilities of appellant's position are better described by the specifications for the NRA 2 classification than those for the NRA 3 classification and are closely comparable to the duties and responsibilities of the NRA 2 positions offered for comparison purposes.

#### Conclusions of Law

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

2. Appellant has the burden to prove that the decision by respondents to reclassify his position to the NRA 2 level was incorrect.
3. Appellant has failed to sustain this burden.
4. Respondents' decision to reclassify appellant's position to the NRA 2 level was correct and appellant's position is appropriately classified at the NRA 2 level.

### Decision

The issue which the parties agreed would govern this appeal is:

Whether respondents' decision to reclassify appellant's position from Natural Resource Administrator 5-Mgmt (01-16) to Natural Resource Administrator 2 (01-17) instead of Natural Resource Administrator 3 (01-18) was correct.

The position standard for the NRA series requires that a position in a district office is required to function as an assistant district director in order to be classified at the NRA 3 level. Respondents' classification expert testified at the hearing that the only exception to this requirement has been made for those positions which supervise two major department programs in a district office and which report to a position in pay range 01-19. Not only does appellant's position not function as an assistant district director position but this position also is responsible for only one major department program in the Southern District Office, i.e., fish management, and reports to a pay range 01-18 position, not a pay range 01-19 position. Moreover, the duties and responsibilities of appellant's position are substantially the same as the duties and responsibilities of the district fisheries management supervisor positions in the other districts which are classified at the NRA 2 level. The only additional duties which appellant's position performs, fleet management and implementation and maintenance of the statewide electrofishing program, consume only

14% of appellant's positions' time and were not shown in the record to add significantly to the complexity, impact, or scope of appellant's position.

Not only do the duties and responsibilities of appellant's position fail to satisfy the requirements of the NRA position standard for classification at the NRA 3 level, they also are not comparable to the duties and responsibilities of positions in the district offices classified at the NRA 3 level. However, the duties and responsibilities of appellant's position are well-described by the classification specifications for the NRA 2 classification and are closely comparable to the NRA 2 positions offered for comparison purposes. On this basis, the Commission concludes that appellant's positions is more appropriately classified at the NRA 2 level than the NRA 3 level.

Order

The action of respondents in this regard is affirmed and this appeal is dismissed.

Dated: November 1, 1990      STATE PERSONNEL COMMISSION

  
LAURIE R. McCALLUM, Chairperson

LRM/lrm

  
DONALD R. MURPHY, Commissioner

  
GERALD F. HODDINOTT, Commissioner

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