

STATE OF WISCONSIN

PERSONNEL COMMISSION

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GERALD ZASTROW,

Appellant,

v.

Secretary, DEPARTMENT OF
EMPLOYMENT RELATIONS,

Respondent.

Case No. 90-0208-PC

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DECISION
AND
ORDER

This is a companion case to Gosz v. DER, 90-0192-PC and was consolidated with it for hearing. Appellant, as in Gosz, appeals pursuant to §230.44(1)(b), Stats. the reallocation of his position from Television Broadcast Technician 3 (TBT 3) to Media Technician 2 (Communication Arts) instead of Media Technician 3 (Television Operations/Maintenance).

FINDINGS OF FACT

1. In 1983, Gerald Zastrow began work as a Media Technician, a classified civil service position, at the University of Wisconsin-Stevens Point.
2. On April 8, 1990, Zastrow's position was reallocated from Television Broadcast Technician 3 to Media Technician 2 (MT 2) (Communication Arts).
3. At the time of reallocation Zastrow's duties and percentages of time designated for each were described as:

POSITION SUMMARY

This position is responsible for the operation of University Telecommunications' Master Control Room. This area encompasses the operation, set-up and quality control of sophisticated broadcast-related television production equipment. This position is also responsible for master recordings, tape duplication, off-air recordings, CCTV video transmissions, CATV video transmissions and broadcast television transmissions via STL WHA-820 from UWSP to WHRM-TV, Ch. 20, Wausau. Also responsible for installing, repairing, maintaining and/or operating broadcast television equipment associated with TV production and transmission, satellite, fiber optics and other technologies. Responsible for preparing for operation and operating technical

production equipment. Specific areas are audio pick up, mixing, and editing, video camera alignment and operation, conducting control evaluations to assure compliance with FCC, PBS, and related classification specifications. Responsible for video-taping live television program segments and electronically editing them into completed programs. Positions are also responsible for duplicating and transferring existing segments and programs to other videotape formats. Routine maintenance, signal timing and phasing, audio and video level setting and editor programming are tasks performed during production sessions. Responsible for planning, setting-up, operating and maintaining all technical equipment involved with a remote production facility. Duties performed are similar to those performed by maintenance and production positions except they are performed in a remote or field environment.

GOALS AND WORKER ACTIVITIES

- 60% A. Operation, set-up, playback, record and maintain quality control within Master Control.
- A1. Primary duties involve camera set up and registration, master videotape recordings, videotape duplication, off-air recording, CCTV, and CATV playbacks, STL/Ch 20 television playbacks, Instructional Television Fixed Service operation and satellite downlinking and recordings.
 - A2. The position involves a working knowledge and operational familiarization with broadcast TV cameras, time base correctors, 1/2-inch and 3/4-inch industrial and broadcast videotape recorders, video/audio routing, waveform monitors, vectorscopes, ITFS, satellite, modulators, demodulators, and other associated broadcast and non-broadcast television equipment.
 - A3. Adjust and provide on the job maintenance and troubleshooting as it pertains to the operation of Master Control television equipment.
- 30% B. Provide technical assistance to the needs of studio, remote and electronic field production.
- B1. Support the technical needs associated with Student Video Operations as it pertains to CATV television.
 - B2. Provide technical assistance in regards to quality control as it pertains to University Telecommunications studio, remote, and electronic field productions. Serve as engineer in charge during such activities.

- 10% C Catalog and Maintain safety and protection for University Telecommunications master videotapes. Maintain and access needs pertaining to blank videotape stock. Assist UT staff and provide support as needed by unit.

4. Zastrow's immediate supervisor is Ronald Weseloh, Director of University Telecommunications.

5. There are twelve staff members in the Telecommunication unit, including three Media Technicians.

6. The lead worker and Chief Engineer is Roy Kuschel, who is classified as a MT 3. The other technician is John Gosz who like Zastrow is classified as a MT 2.

7. The primary function of UW-SP University Telecommunications is to provide technical support to the university's education educational departments and some outreach to the community.

8. Media Technician classification specifications, relevant to MT 2 and MT 3 positions contain the following descriptions:

MEDIA TECHNICIAN 2

This is either experienced entry, progression (developmental) or objective level work depending upon the area of specialization which describes the position.

MAINTENANCE:

* * *

Television Operations/Maintenance - Positions are allocated to this class as experience entry or progression level. Work is performed under close supervision.

COMMUNICATION ARTS:

Positions are allocated to this class as objective (full performance) level. Work is performed under general supervision.

* * *

MEDIA TECHNICIAN 3

This is either objective or advanced level work depending upon the area of specialization.

COMMUNICATION ARTS:

Positions are allocated to this class as advance level and typically function as the senior technician differentiated from the lower level technical positions by the scope and complexity of the systems for which they are directly responsible and the increased independence of action.

MAINTENANCE:

Television Operations/Maintenance: Positions are allocated to this class as an objective (full performance) level and are responsible for performing a full range of operation and/or maintenance duties. Additional duties include the modification, design and construction of electronic equipment used for, or in conjunction with, television production and transmission. Work is performed under general supervision.

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F. DEFINITIONS OF AREAS OF SPECIALIZATION

1. Communication Arts

UW Comprehensive Institutions & WHA TV: Responsible for providing technical support to educational departments. This includes installation and maintenance on the following equipment 1) television studio and field production equipment, 2) all types of radio, television and film equipment. These positions also operate studio television equipment for production of television instructional programs and instruct clients on the use of this equipment. These positions may also produce instructional programming for classroom use.

2. Maintenance

* * *

TV Operations/Maintenance: Responsible for installing, repairing, maintaining and/or operating broadcast television equipment associated with TV production and transmission. Additional duties may include the modification, design, and construction of electronic equipment used for, or in conjunction with, television production and transmission. Satellite, fiber optics and other technologies may be employed but are normally not a major part of these positions. Also included in this allocation is the chief maintenance engineer for the closed circuit television and campus radio station at UW comprehensive institutions.

9. Appellant's position is not comparable to MT 3 positions at UW-Extension. These positions, located at WHA-TV, function as senior technicians while providing technical support for the operation and maintenance of WHA's TV broadcasting and production facilities. Roy Kuschel holds the Senior and Chief Engineer position at UW-SP.

10. Also, appellant's position is not comparable to the MT 3 position held by Ed Dumholt at ECB. Dumholt is a staff engineer at the Telecommunication's Operation Center. The TOC is the point of origin for all public broadcasting transmissions in Wisconsin. Dumholt is responsible for monitoring all incoming and outgoing signals from the TOC to ensure they meet T.C.C. regulations. Any interrupted, bad or inadequate signal from TOC will be repeated throughout the state public TV network.

11. Appellant's position is better described by the MT 2 classification than by the MT 3 classification.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to §230.44(1)(b), stats.

2. Appellant has the burden of proving by a preponderance of the evidence facts necessary to show respondent was incorrect in reallocating his position from TBT 3 to MT 2 instead of MT 3.

3. Appellant has failed to sustain his burden of proof.

4. Respondent's decision was not incorrect. Appellant's position was more appropriately reallocated to MT 2.

OPINION

Appellant contends his position should be classified as a Media Technician 3 (Television Operations/Maintenance). The MT 3 TV Operation/Maintenance classification specification states that such positions are responsible for a full range of operation and/or maintenance duties associated with television production and transmission. Further, it states that additional duties include the modification, design and construction of electronic equipment used in connection with TV production and transmission.

The clear evidence establishes that University Telecommunications, UW-Stevens Point primarily provides television studio and field production facilities for the university. Appellant is responsible for maintenance, repair and operation of the unit's production equipment. The Media Technician Communication Arts specification is defined in the specification as:

(positions) responsible for providing technical support to educational departments. This includes installation and maintenance on the following equipment: 1) television studio and field production equipment; 2) all types of radio, television and film equipment. These positions also operate studio television equipment for production of television instructional programs and instruct clients on use of this equipment. These positions may also produce instructional programming for classroom use.

This definition is a fair description of appellant's unit and the duties appellant performs.

Appellant argues that while he does not design, construct and modify electronic equipment as mentioned in the areas of specialization definition for Television Operation/Maintenance, he performs duties comparable to the MT 3 position held by Ed Dumholt as the Education Communication Board. Dumholt is a staff engineer at ECB's headquarters (TOC) for all public broadcast transmission in Wisconsin. He is responsible for monitoring all incoming and outgoing signals from the TOC. It is clear Dumholt's position has wider scope, and greater impact and consequence of error than appellant's.

In addition, the classification specification, MT 3 (Communication Arts) definition, refers to advanced level positions which "typically function as the senior technician differentiated from the lower level technical positions by the scope and complexity of the systems for which they are directly responsible and the increased independence of action." While the evidence establishes that appellant performs at the objective level, there is little evidence to suggest a finding that he performs at the advanced level. Appellant works with, a MT 3 and a MT 2. The MT 3 is the unit's chief engineer and lead worker. It is clear the MT 3 position is the senior technician for the unit.


ORDER

Respondent's action reallocating appellant's position from Television Broadcast Technician 3 to Media Technician 2 (Communication Arts) was correct, and is therefore affirmed and this appeal is dismissed.

Dated: May 29, 1991 STATE PERSONNEL COMMISSION


LAURIE R. McCALLUM, Chairperson

DRM/gdt/2


DONALD R. MURPHY, Commissioner


GERALD F. HODDINOTT, Commissioner

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