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DEAN ANDREWJESKI,

Appellant,

v.

Secretary, DEPARTMENT OF
EMPLOYMENT RELATIONS,

Respondent.

Case No. 90-0212-PC

* * * * *

DECISION
AND
ORDER

This matter is before the Commission on appeal of respondent's decision reallocating appellant's position from Television Broadcast Technician 5 to Media Technician 4.

FINDINGS OF FACT

1. Dean Andrewjeski, appellant, at all times relevant, has been employed at the Educational Communications Board, Engineering Division, WHRM & WHRM-TV, Wausau, WI in the classified civil service.

2. Andrewjeski's position was reallocated from Television Broadcast Technician 5 (TBT 5) to Media Technician 4 (MT 4) effective April 8, 1990.

3. In June 1981 the goals, worker activities, and time percentages of appellant's position were described as:

- 50% A. Performs emergency and routine maintenance on high voltage transmitter equipment and all site equipment.
 - A1. Tests components of malfunctioning transmitter to diagnose trouble, using test equipment, such as oscilloscope, voltmeters and ammeters.
 - A2. Disassembles and repairs equipment. Routinely checks meters to note trends for early diagnosis of trouble spots.
 - A3. Assures components in proper operating condition and providing a uniform level of performance.
 - A4. Assists manufacturer's representative in the proof of performance measurements as necessary.

- 25% B. Operates transmitter equipment.
B1. Switches power to units and stages of transmitter.
B2. Monitors console panel to ascertain that components are operative and able to emit proper signal on TV frequency assigned by Federal Communications Commission.
B3. Monitors signal emission and spurious radiations outside of licensed transmission frequency to insure signal is not infringing on frequencies assigned other stations.
B4. Observes indicators and adjusts controls to maintain proper modulation and insures that transmitted signals are sharp and clear.
B5. Maintains FCC log.
B6. Tests and monitors Conelrad (civil defense radio system).
- 15% C. Modification and Installation of Equipment.
C1. Designs, constructs and installs electronic equipment and other station equipment, e.g. monitors, etc.
C2. Purchases minor support equipment.
- 10% D. Miscellaneous.
D1. Assures high degree of transmitter site cleanliness.
D2. Prepares records and reports.
D3. Performs other duties as required.

4. On October 8, 1990, appellant signed a position description describing the goals, worker activities, and time percentages of his position as follows:

- 30% A. Performs emergency and routine maintenance of high voltage transmitter equipment, remote control and associated off the air video and audio monitoring equipment and other site equipment.
- A1. Tests systems and components of malfunctioning equipment to diagnose trouble using test equipment, such as oscilloscope, spectrum analyzer, voltmeters and ammeters. Disassembles, repairs and reassembles equipment. Requisitions records and report preparation. High degree of transmission site cleanliness is to be assured. Other activities and duties as required.

- A2. Routinely checks meters to note trends for early diagnosis of developing trouble spots.
 - A3. Assists in or makes annual proof of performance measurements and power calibration of AM, FM and television transmitters at WLBL and WHRM.
- 40% B. Modification and Installation of Equipment.
- B1. Designs, constructs, and installs electronic equipment and other station equipment, e.g., racks, wiring, monitors, etc.
 - B2. Modifies equipment according to manufacturers technical bulletins or as otherwise required by operating requirements.
 - B3. Purchases minor support equipment.
- 10% C. Serves as Relief Operator.
- C1. Operates and monitors television, radio and subcarrier transmitter equipment at Channel 20 Site, Rib Mountain.
 - a. Switches power to units and stages of transmitters. Monitors quality of transmissions including visual, aural and FM with stereo and SCA. Adjusts equipment at Channel 20 site using operator available.
 - b. Checks tower lights to verify correct operation once a day.
 - c. Verifies transmission and receipt of Emergency Broadcast System test.
 - d. Keeps accurate logs and records of operating parameters strictly in accordance with FCC and FAA rules.
 - C2. Operates and monitors radio equipment at WLBL, Auburndale and WHSA, Brule. Operates and monitors television and FM radio transmitters at WPNE, Green Bay, WLEF/WHBM, Park Falls, WHWC,

Menomonie, and WHLA, LaCrosse via remote control from Rib Mountain. Monitors television translator, W64AU, Friendship, WI.

- a. Switches the transmitters listed (except for W64AU) on and off at the times required to maintain operating schedule via remote control. Verifies that W64AU is on the air when Channel 20 television transmitter is on the air.
- b. Adjusts equipment at all remote control sites as required to maintain transmissions within established standards. If remote control cannot restore proper operation at a remote site, refer the problem to the Chief Engineer or Maintenance technician at that site.
- c. Checks tower lights for proper operation at WLEF/WHBM, WHSA, WHWC and WLBL. Operator will report malfunctions of tower lights as required by FCC and FAA regulations.
- d. Keeps accurate logs and records of operating parameters and EBS tests strictly in accordance with FCC and FAA rules.

20%

D. Miscellaneous.

- D1. Serves as assistant chief operator for WHSA, WHWC, WLEF/WHBM, WHLA, WHRM, WLBL and WPNE transmitter sites as required by FCC regulations section 73.1870.
- D2. Is in charge of WHRM and WLBL transmitter sites in absence of chief operator.
- D3. Prepares records, reports and requisitions.
- D4. Assures high degree of cleanliness at WHRM and WLBL transmitter sites.

D5. Performs other duties as required.

5. State Media Technician Classification Specification contain the following pertinent definition for Media Technician 4 positions:

Maintenance:

Television Operations/Maintenance: Positions are allocated to this class as advance level and typically function as a Senior Technician in television operations and/maintenance. Technicians allocated to this class spend the majority of their time in the construction installation and maintenance of the most complex broadcast telecommunications equipment.

Production:

As senior technician assists supervisor with the training of new technicians in the several production areas. Provides technical assistance to staff during the more sophisticated productions and their evaluations.

6. The State Media Supervisor Position Standard Introduction provides in pertinent part:

B. Inclusions:

All positions allocated to this position must function as a "true" employe supervisor with responsibility for effectively recommending the hiring, transfer, suspension, layoff, recall, promotion, discharge, assignment, evaluation, discipline and adjustment of grievances of subordinate permanent employes.

C. Exclusions:

Excluded from this series are the following types of positions:

- 1) All non-supervisory positions.
- 2) All other positions which are more appropriately identified by other class series.

7. The Media Supervisor 1 position classification is described in the Position Standard in pertinent part as: ". . . supervisory work in radio maintenance and/or production areas or in a television facility supervising the day to day operation of a shift."

8. Appellant's immediate supervisor is Vern Alpine. Alpine is classified as a Media Supervisor 3. Alpine supervises all activities at WHRM & WHRM-TV, Wausau, WI and WLBL, Auburndale, WI.

9. Appellant is the senior media technician at Wausau and Auburndale, WI.

10. Appellant does not perform any supervisory duties on a regular basis.

11. Appellant is not a supervisor as defined by the Media Supervisor Position Standard. He is more appropriately classified as a Media Technician 4.

CONCLUSIONS OF LAW

1. This case is properly before the Commission pursuant to §230.44(1)(b) Stats.

2. Appellant has the burden of proof to establish respondent was incorrect in reallocating his position from TBT 5 to MT 4 rather than Media Sup 1.

3. Appellant has failed to sustain his burden. Respondent's decision reallocating appellant's position from TBT 5 to MT 4 rather than Media Sup 1 was correct.

OPINION

The substantive facts in this case are not in dispute. Appellant, Dean Andrewjeski is the senior media technician at the WHRM TV/FM transmitter site on Rib Mountain, Wausau, WI. Appellant serves as the assistant chief engineer under Vern Alpine, his supervisor and chief engineer of Rib Mountain. In Alpine's absence from the site, i.e conferences, vacations and sick leave, Appellant signs time sheets, makes shift changes and other scheduling changes in instances of emergencies. However, Appellant does not hire, transfer, suspend, promote, evaluate or discipline employes.

Appellant acknowledges in his post hearing letter-brief, that his position is described "fairly well" by the MT 4 class specifications, but argues that his position fits somewhere between an MT 4 and a Media Supervisor 1.

In Jones v. DNR & DER, Case No. 85-0217-PC (1/24/86) the Commission said it must consider class specifications and actual work performed to determine proper classification. In that same case, the Commission, citing Kailin v. Weaver & Wettengel, 73-124-PC (11/28/75) and Bender v. DOA & DP, 80-210-PC (7/1/81) noted that positions are not entitled to reclassification because some aspects of the work fall within the higher classification, particularly if those duties are less than a majority of the total duties of the position.

In the instant case, the evidence clearly establishes that appellant is a senior media technician. When appellant's supervisor is absent, he is respon-


sible for the operation of the television and radio transmitting equipment and certain other supervisory duties. Even so, appellant is assigned these duties on a temporary basis only and does not function as a supervisor as defined by the class specifications for Media Supervisor. As a consequence, the Commission can only conclude that appellant's position fails to meet the requirements for Media Supervisor 1 and is more appropriately classified at the Media Technician 4 level.

ORDER


Respondent's decision reallocating appellant's position from Television Broadcast Technician 5 to Media Technician 4 is affirmed and this appeal is dismissed.

Dated: May 16, 1991

STATE PERSONNEL COMMISSION


LAURIE R. McCALLUM, Chairperson

DRM/gdt/2


DONALD R. MURPHY, Commissioner


GERALD F. HODDINOTT, Commissioner

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