

3. In 1988 and 1989, respondent conducted a mini-survey of positions engaged in radio and television broadcasting work. Among the classification series included in this mini-survey was Television Broadcast Technician. At the time of the survey, appellants' positions were classified as Television Broadcast Technician 3's. The position that is vacant was classified as a Television Broadcast Technician 4 prior to the survey.

4. As a result of the mini-survey, the classification series of Television Broadcast Technician (TBT) and Radio Broadcast Technician (RBT) were abolished, and a new classification series of Media Technician 1-4 was created to identify the positions previously identified in the TBT and RBT series.

5. Effective April 8, 1990, respondent reallocated appellants' positions from Television Broadcast Technician 3's to Media Technician 2's. Appellants filed timely appeals of this reallocation action.

6. At the time that appellants' positions were reallocated their duties and responsibilities were accurately described by the following position description¹:

POSITION SUMMARY

Provides daily technical television production operation, maintenance set-up and repair of professional equipment at UWM's ECD Television Engineering Department. Reports to the Chief Engineer of Television. This is a small-to-medium sized department with full delegation of TV Engineering functions from the Chief Engineer of Television (Media Supervisor 1)

65% Goal A: Television Production (Technical, Original)

25% Worker

Activity A.1 Full Scale Main Studio Professional Television Production

Worker

Activity A.1.1. Technical set-up and operation of professional broadcast quality television cameras, character generators, studio video switchers, microphones, audio console, audio tape machines and video tape machines, routing switchers, audio and video patch bays.

¹ The appellants all have identical position descriptions which they signed on May 9, 1990.

Worker
Activity A.1.2 Technical set-up and operation of all television and related television production equipment in the Fine Arts Music FAM-50 TV studio and control room.

Worker
Activity A.1.3 Technical set-up and operation of all television and related television production equipment in the department's Mobile Television Unit.

Worker
Activity A.1.4 Technical set-up and operation of all equipment comprising our single camera remote broadcast quality television production package.

Worker
Activity A.1.5 Effectively set-up and operate various satellite earth station TVRO (television receive only) equipment for live broadcasts or video tape recordings.

40% Worker
Activity A.2 Television Post Production

Worker
Activity A.2.1 Effectively set-up and operate computer assisted professional broadcast video recorders under the direction of the director. Play back and edit together numerous segments of pre-recorded videotape and live segments.

Worker
Activity A.2.2 Set-up and operate video playback and video recording machines effectively during video and/or audio tape duplicating sessions. Exercise quality control over recorded products.

20% Goal B: Maintenance of all television and related systems (Studio, Cable TV, ITFS, Microwave Satellite)

Worker
Activity B.1 Perform non-scheduled and prescribed maintenance in compliance with professional industry standards. Report to supervisor.

Worker
Activity B.2 All maintenance will be carried out with particular emphasis on thoughtful, careful,

diagnosis, precision replacement techniques,
and constant respect for total system
integrity.

Worker
Activity B.3 Exercise total "Proof of Performance" on all
systems.

8% Goal C: Work effectively with other state or related agencies
requesting ECD TV Engineering assistance.

Worker
Activity C.1 Work with client on technical design,
procurement, and installation of television
and related projects.

Worker
Activity C.2 Provide examples of previously completed
systems for the client's reference including
itemized time/cost estimates for the project.

Worker
Activity C.3 Test system and train client on effective
usage of equipment.

4% Goal D: Operational functions, including:

Worker
Activity D.1 Submitting trouble reports when technical
performance problems arise.

Worker
Activity D.2 Completion of work orders.

Worker
Activity D.3 Keeping technical records, diagrams,
schematics, etc.

Worker
Activity D.4 Inventory control.

Worker
Activity D.5 Ordering electronic and related supplies.

2% Goal E: Assist in the supervision and training of TV
Engineering's Work Study student engineers.

1% Goal F: Constant upgrading of technical skills through a
combination of the following trade publications,
magazines, and technical workshops.

7. The vacant position in the Engineering Unit had been held by a
Mr. Thomas Schwerm who performed similar functions, and in addition was

assigned to perform "technical lead worker functions over subordinate employes in permanent positions."

8. The classification specifications for Media Technician provide the following, in pertinent part:

* * *

B. INCLUSIONS

This classification specification includes positions which are performing technical operation, maintenance and/or production work in a complex media setting. Examples of technological specialization include television, radio, Instructional Television Fixed Service (ITFS), satellite communications and microwave or fiber optic networks.

In most instances, positions included in this classification specification function within an electronic or engineering services unit and are supervised by other technically trained staff.

* * *

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, 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.

G. CLASSIFICATION FACTORS

* * *

1. Responsibility/accountability -- relates to the latitude to select alternatives and assign work/priorities, and finality of the decisions made. Some specific questions to consider are:
 - a. the organizational level of the position;
 - b. the nature and type of supervision received;
 - c. the availability of other non-subordinate staff whose authority it is to make the most difficult and unprecedented program or technical decisions or interpretations;
 - d. the degree of impact decisions and work efforts have on end results; and
 - e. the consequence of error.

2. Scope/Complexity -- relates to the nature, number, variety, and intricacy of tasks, steps, processes or methods in the work performed; the difficulty and originality involved in performing the work; and the effect of the work product or service both within and outside the organization. Some specific factors to be considered are:
 - a. the number and nature of technologies for which the position is responsible;
 - b. the degree to which duties can be performed while the equipment is off-line;
 - c. the degree of problem definition received and the availability and applicability of establish[ed] guidelines, routines, procedures, etc.; and
 - d. the extent of the area of impact (i.e., program-wide, agency-wide, regional, state or national coverage area, agencies external to state government, public, etc.).

3. Miscellaneous Factors
 - a. the accumulated specific (technical, professional, managerial) and general (program) knowledge necessary to perform the work satisfactorily; and
 - b. the nature and level of internal and external coordination and communication required to accomplish objectives.

* * *

H. CLASSIFICATION 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.

* * *

9. At hearing, appellants introduced the following position for comparison purposes.

Thomas C. Smith, Media Technician 3, WHA-TV, UW-Madison

POSITION SUMMARY

The major goals of this position are to provide the required expertise in the pick up and mixing of audio programming, along with the installation and repair of the electronic production equipment at WHA-TV.

<u>TIME %</u>	<u>GOALS AND WORKER ACTIVITIES</u>
40%	A. Videotape live television program segments and electronically edit them into completed programs. Duplicate and transfer existing segments and programs to other videotape formats. A1. Set up and align videotape machines for productions. A2. Electronically edit program segments together into completed programs. A3. Record program segments and programs on multiple formats for productions.
40%	B. Maintain and repair television production equipment. B1. Repair defective production equipment. B2. Perform preventive maintenance. B3. Repair defective transmission equipment. B4. Install new equipment. B5. Construct electronic cables and devices.
10%	C. Set up and operate color live and film electronic video cameras. C1. Align, match and operate cameras for production. C2. Set up of video switcher and related equipment for proper operation for productions. C3. Align and operate film camera and projector systems. C4. Align and operate videotape recording and editing equipment.
10%	D. Record, assemble and mix sound and music for program production.

- D1. Select and set up microphones and prepare studio for audio recording.
- D2. Record, mix, and edit program audio materials.

This position is somewhat stronger than appellant's position because the majority of the functions performed (Goal B - 40%, Goal C - 10%, and at least some portion of Goal A - 40%) are best identified by the TV Operations/Maintenance definition contained in the classification specification.

10. At hearing, respondent introduced the following positions for comparison purposes.

- a. Paul G. Steffel, Media Technician 3, WHA-TV, UW-Madison

POSITION SUMMARY

This position provides technical support for the operation and maintenance of the WHA-TV broadcast and production facility.

TIME %

GOALS AND WORKER ACTIVITIES

- 70% A. Maintain and repair television production equipment.
- 20% B. Set up and operate color live and film electronic video cameras and recording equipment.
- 10% C. Set up and operate audio mixers, tape recorders, microphones, and other equipment used in the editing and recording of sound for program production.

- b. Karl R. Buschhaus, Media Technician 3, WHA-TV, Communications Arts and Journalism Departments, UW-Madison

POSITION SUMMARY

This position provides all types of technical support for the television, radio and film production courses offered by the Communications Arts and Journalism Departments.

TIME %

GOALS AND WORKER ACTIVITIES

- 60% A. Perform corrective and preventive maintenance on all types of radio and television studio and field equipment.
- 20% B. Operate studio television equipment for production of television instructional programs, including the set up of

color cameras, operation of videotape machines and film pickup cameras.

- 10% C. Record and electronically edit program segments into final product, perform tape-to-tape dubs and perform film to videotape transfers.
- 10% D. Consult with students and faculty members to assist them in or instruct them on the best use and care of the department's electronic equipment.

Both of these positions are stronger than appellants' positions in that they spend the majority of their time performing TV Operations/Maintenance work, i.e., 70% for Goal A in the Steffel position and 60% for Goal A in the Buschhaus position.

11. WHA-TV has a larger operation (i.e., number and size of studios and number of programs produced) and more staff than ECD at the UW-Milwaukee campus, including that portion of the WHA operation which has 12-13 staff performing functions similar to those performed by the three appellants. The positions at WHA have an objective level of Media Technician 3 - TV Operations/Maintenance, while appellants' positions have an objective level of Media Technician 2 - Communications Arts.

12. WHA staff are more specialized in their job functions while the appellants are more of a generalist working in number of areas (TV Operations/Maintenance, Communications Arts, Production) with a wider variety of equipment, such as that associated with microwave links, Instructional Television Fixed Service (ITFS), cable system, and satellite communication. While WHA would also have persons performing these functions, they would tend to function in one area/capacity.

13. WHA and ECD both have broadcast level equipment. This equipment produces the highest quality product and meets all governmental specifications and broadcast standards. WHA's equipment is valued at approximately \$7.2 million and the equipment at ECD is valued at \$1.6 million. While the equipment is comparable, WHA has more elaborate equipment which provides options beyond ECD's capability. This is due in part to the fact that WHA provides support in the Communications Arts area like appellants do, but, in addition, provides live and videotape programming for WHA-TV (Channel 21) and contracts to provide programs to the Educational Communications Board which transmits them statewide as well as to national public television stations.

14. ECD has one production studio with three cameras, a remote mobile unit with four cameras, five Thompson Cameras used for electronic field production, five 1" type-C tape machines, and associated switch gear and graphic equipment. WHA has 3 production studios, each with multiple cameras, a remote mobile unit with five cameras, a number of 1" type-C and 1/2" tape machines, and the associated switch gear and graphic equipment.

15. The ECD has many of the same capabilities to produce programs like WHA does, but ECD does it with less frequency. ECD produces videotape programs that are distributed nationally, an International Focus series which is broadcast on other PBS stations approximately once a month, 3-4 programs a year for use by the Milwaukee Public Schools, and has in the past produced programs for WHA and the public television station in Milwaukee (WMVS). ECD has done major special projects including remote live call-in programs, e.g. a National Science Foundation Telelecture in Chicago in 1987, and production of a documentary on Nicaragua in 1981 entitled "Literacy, Development, and Social Change: Nicaraguan Case Study."

By contrast, WHA has several weekly programs, such as Prime Time Wisconsin and Wisconsin Week, and does documentaries on topics such as the Gulf War. Specialty programs like the New Tech Times were picked up by the Discovery Channel after 3 years. WHA also does 50-100 remote telecasts each year of sporting events, Concerts on the Square, and other special events like political events.

WHA does production and transmission of broadcasts (both live and on videotape) on a more routine and regularly scheduled basis than does ECD.

16. At the other UW Comprehensive Institutions that have positions classified in the Communications Arts area of specialization, there is only one position allocated to the Media Technician 3 level in television, and that allocation is based on the position functioning as the senior (or sole) technician.

17. While appellants perform functions and operate equipment comparable to that of WHA staff, the majority of appellants' duties and responsibilities are best described by the classification specification for Media Technician 2 - Communications Arts.

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 to show that respondent's decision to reallocate their positions to Media Technician 2 - Communications Arts was incorrect.

3. Appellants have not met their burden of proof.

4. Appellants' positions are more appropriately classified as Media Technician 2's.

DISCUSSION

The issue for hearing agreed to by the parties is:

"Whether respondent's decision reallocating appellants' positions from Television Broadcast Technician 3 to Media Technician 2 instead of Media Technician 3 was correct."

In determining the correctness of a reallocation in cases such as this one, the Commission will weigh the classification specifications against the actual work performed. It is not uncommon to find that the duties and responsibilities of a position may be described by two or more classification specifications or found in other position descriptions for positions classified at higher or lower levels than the position under review. The most appropriate classification for a position is the one which describes the duties and responsibilities to which the position devotes a majority of time. Bender v. DOA and DP, Case No. 80-0210-PC (7/1/81); Division of Personnel v. State Personnel Commission (Marx), Court of Appeals District IV, 84-1024 (11/21/85); DER & DP v. State Personnel Commission, Dane County Circuit Court, 79-CV-3860 (9/21/80).

The majority of appellants' functions are identified under the Communications Arts area of specialization. This is based not only on the appellants' duties and responsibilities, but also on the unit's instructional mission. (See Finding #2.) The majority of appellants' activities (65%) are identified under Goal A - Television Production and involve functions identified under the definition of the Communications Arts area of specialization in the classification specifications (see Finding #8), such as ... "installation and maintenance on ... television studio and field production

equipment ... operate studio television equipment for production of television instructional programs"

Certainly Goal B (20%) - Maintenance of all television related systems - and Goal C (8%) - Work effectively with other state or related agencies requesting ECD TV Engineering assistance - could fall within the TV Operations/Maintenance areas of specialization. However, these activities do not constitute a majority of the positions' time.

The appellants made a number of arguments that their positions should be at the Media Technician 3 (MT 3) level because they do similar work to positions at WHA-TV and these positions are all classified at the MT 3 level. While it is true that the positions at UW-Milwaukee and WHA all work with similar equipment, the larger size of WHA results in positions in the engineering area being assigned functions on a specialized basis. As a result, the majority of time for positions at WHA-TV is best identified in the classification specifications by the TV Operations/Maintenance area of specialization. The specifications provide that the objective (full performance) level for this area of specialization is MT 3.

Appellants argue that they may have a smaller operation, but they work on the same equipment and must, in fact, be a generalist and more knowledgeable about a wider variety and more types of equipment associated with satellite, microwave, cable, and TV production. This broader, more generalized knowledge appellants felt should be comparable to the specialized knowledge of positions at WHA. The Commission cannot on its own determine if there is comparability between a generalist and a specialist, but must rely on the classification specifications. The specifications do not recognize or provide comparability between Communications Arts and TV Operations/Maintenance positions in that Communications Arts positions have an objective level of Media Technician 2 (MT 2) and TV Operations/Maintenance positions have an objective level of Media Technician 3 (MT 3). Regardless of whether the Commission agrees with this distinction that provides greater recognition (i.e., higher classification levels) for specialists than for generalists, it is bound by the classification specifications in existence and cannot reject or modify them in reaching a decision. Zhe et al. v. DHSS & DP, Case No. 80-285-PC (11/19/81); affirmed by Dane County Circuit Court, Zhe et al. v. State Personnel Commission, 81-CV-6492 (11/2/82).

There was also considerable discussion concerning the vacant position previously held by Mr. Schwerm. These discussions resulted from appellants' assertion that they should be Media Technician 3's - Communications Arts because they all function independently as "senior technicians." Appellants argued that the vacant position should not have any bearing on their classification, while respondent argued that this lead technician position had to be considered based on the impact it could have on appellants' positions if it was ever filled again. The Commission will not consider the vacant position inasmuch as it is highly speculative as to whether the position will ever be filled, and it is not a foredrawn conclusion that the duties and responsibilities assigned to the position if it is filled would be the same as those assigned to Mr. Schwerm.

Rather, the Commission will look at the appellants' duties and responsibilities, the wording of the classification specifications, and comparable positions. Appellants argue that the specifications for MT 3 - Communications Arts state that positions "typically function as a senior technician" and that there is no requirement that positions function as a lead worker.

From the standpoint of the classification specifications, the language states "the senior technician" (emphasis added), which implies that there would only be one such position. The word typically could well have been inserted to cover situations where a position was identified at this level as a lead worker or where an operation only had one technician. In addition, the allocation pattern for the UW-System identified only one MT 3 - Communications Arts position for television operations on each campus.

While the specifications may well be interpreted to allow more than one senior technician, the record does not provide any basis for identifying all of appellants' position at that level. Certainly the appellants are all very experienced and work independently. However, they cannot all be assigned to be directly responsible for the most complex systems a majority of the time, particularly in light of the practice to rotate assignments and develop a generalist concept so that the appellants can back each other up. This is not to say that this is not an optimum way to operate, but only that the classification specifications do not recognize the functions performed by appellants a majority of their time at the MT 3 level.

The appellants also argued that their job functions (see Finding #6) were similar to a Mr. Thomas Smith, a Media Technician 3 at WHA-TV (see Finding #9). The appellants indicate that their Goal A.1 (25%) was similar to Mr. Smith's Goal A (40%) -- Videotape live television program segments and electronically edit them into completed programs. Duplicate and transfer existing segments and programs to other videotape formats -- and Goal C (10%) -- Set up and operate color live and film electronic video camera. The appellants also identified Goal B (40%) -- Maintain and repair television production equipment -- on Mr. Smith's PD as similar to their Goal B (20%) -- Maintenance of all television and related systems. Using this analysis, appellants argued that 45% of their job (Goal A.1 (25%) and Goal B - 20%) were the same as Mr. Smith's. If part of Goal A.2 (40%) - Television Post Production - - and the 8-10% of their time spent on design, construction and modification were included with this, the majority of their job would be comparable to Mr. Smith's at the MT 3 level.

The Commission does not, based on the record in this case, agree entirely with appellants. Certainly the function identified in Goal B (20%) of appellant's PD could well be identified at the MT 3 - TV Operations/Maintenance level. In addition, any design, construction or modification work would also be at the MT 3 - TV Operations/Maintenance level. Appellants testified that they spend 8-10% of their time in this activity. If the Commission assumes that this work is in addition to anything identified under Goal B and would be found in Goal C or perhaps Goal A, the appellants would then spend 30% of their time in higher level (MT 3) functions.

The problem arises with Goal A on both the Smith PD and that of the appellants. This operational work could well be identified at the MT-2 Communications Arts level for both the Smith and appellants' positions. The Smith position would be at the MT-3 - TV Operations/Maintenance level based on Goal B (40%), Goal C (10%), and some portions of Goal A. Goal C -- Set up and operate color live and film electronic video camera -- is included as MT 3 - Operations/Maintenance work based on the specifications language that includes "and/or operating broadcast television equipment associated with TV production and transmission." (emphasis added) This specifications language appears to imply that equipment operations for production and transmission, i.e., live, could be identified at the MT-3 - TV Operations/Maintenance level.

Appellants' position descriptions, on the other hand, do not emphasize live color production. While they have the capability to do this, it does not consume a major portion of their time. However, even if as much as 10% of appellants' Goal A.1 (Full Scale Main Studio Professional Television Production) were attributed to Worker Activity A.1.1 (which is the same time percentage for Goal C on Mr. Smith's PD that appellants said was the same as their Worker Activity A.1.1), appellants' positions would spend only 40% (20% for Goal B, 10% for design, construction and modification, and 10% of Goal A) of their time on higher level MT 3 activities. While this would make it a closer case, the majority (60%) of appellants' duties and responsibilities would still be appropriately identified at the MT-2 - Communications Arts level.

The Commission does note that the Smith position is not as strong as the position held by Mr. Steffel and Mr. Buschhaus (see Finding #10) who spend 70% and 60% of their time, respectively, doing TV Operations/Maintenance work. While the Smith position spends more time in TV Operations/Maintenance than appellants (40% versus 20%), the remaining functions are not so clearly at the MT 3 - TV Operations/Maintenance level

The classification level for Mr Smith's position is not a matter before the Commission in this case and any evaluation of the appropriateness of the classification would not be dispositive. However, even if the Commission's findings that Mr. Smith's position is properly classified would turn out to be incorrect, this does not help the appellants' case. The Commission has held that if a position is determined to be misclassified, it cannot be used as a comparison to misclassify another position if such action would be contrary to the plain language of the classification specification. Zhe et al. v. DHSS & DP, Case No. 80-0285-PC (11/19/81); affirmed by Dane County Circuit Court, Zhe et al. v. State Personnel Commission, 81-CV-6492 (11/2/82).

As in any classification appeal, it is the position's duties and responsibilities as compared to the classification specifications that is determinative. The decision is not reflective of the importance of the function performed or the actual performance of the appellants. The record shows that the appellants perform their work in a very capable manner, with little direct supervision, while keeping a self-supporting operation running at full capacity.

The issue before the Commission, however, is the appropriate classification of appellants' positions. Based on the record in these cases, the

above analysis and the language of the classification specifications, appellants' positions are best identified by the Media Technician 2 - Communications Arts classification.

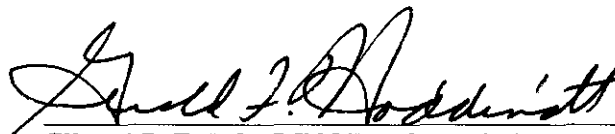
ORDER

Respondent's action to reallocate appellants' positions to Media Technician 2 - Communications Arts was not incorrect, and these appeals are dismissed.

Dated: September 18, 1992 STATE PERSONNEL COMMISSION


LAURIE R. McCALLUM, Chairperson

GFH:rcr


GERALD F. HODDINOTT, Commissioner

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NOTICE
OF RIGHT OF PARTIES TO PETITION FOR REHEARING AND JUDICIAL REVIEW
OF AN ADVERSE DECISION BY THE PERSONNEL COMMISSION

Petition for Rehearing. Any person aggrieved by a final order may, within 20 days after service of the order, file a written petition with the Commission for rehearing. Unless the Commission's order was served personally, service occurred on the date of mailing as set forth in the attached affidavit of mailing. The petition for rehearing must specify the grounds for the relief sought and supporting authorities. Copies shall be served on all

parties of record. See §227.49, Wis. Stats., for procedural details regarding petitions for rehearing.

Petition for Judicial Review. Any person aggrieved by a decision is entitled to judicial review thereof. The petition for judicial review must be filed in the appropriate circuit court as provided in §227.53(1)(a)3, Wis. Stats., and a copy of the petition must be served on the Commission pursuant to §227.53(1)(a)1, Wis. Stats. The petition must identify the Wisconsin Personnel Commission as respondent. The petition for judicial review must be served and filed within 30 days after the service of the commission's decision except that if a rehearing is requested, any party desiring judicial review must serve and file a petition for review within 30 days after the service of the Commission's order finally disposing of the application for rehearing, or within 30 days after the final disposition by operation of law of any such application for rehearing. Unless the Commission's decision was served personally, service of the decision occurred on the date of mailing as set forth in the attached affidavit of mailing. Not later than 30 days after the petition has been filed in circuit court, the petitioner must also serve a copy of the petition on all parties who appeared in the proceeding before the Commission (who are identified immediately above as "parties") or upon the party's attorney of record. See §227.53, Wis. Stats., for procedural details regarding petitions for judicial review.

It is the responsibility of the petitioning party to arrange for the preparation of the necessary legal documents because neither the commission nor its staff may assist in such preparation.