

BONNIE A. MARKS,

Appellant,

v.

Secretary, DEPARTMENT OF
ADMINISTRATION, and Secretary,
DEPARTMENT OF EMPLOYMENT
RELATIONS,

Respondents.

Case No. 90-0421-PC

DECISION
AND
ORDER

NATURE OF THE CASE

This is an appeal pursuant to s. 230.44(1)(b), stats., of the denial of a request for reclassification of appellant's position from Secretary 2-Confidential (PR2-08) to Program Assistant 3-Confidential (PR1-08) or Program Assistant 4-Confidential (PR1-09).

FINDINGS OF FACT

1. Appellant has been employed in the classified civil service in a position at the Wisconsin Arts Board, classified as Secretary 2-Confidential, since January 3, 1988.

2. The duties and responsibilities of appellant's position are basically accurately described by her position description which she signed on June 15, 1990, Appellant's Exhibit 5. This document contains the following "position summary":

Under general supervision, this position is responsible for providing program assistance and secretarial support to the Executive Director and Board Chairman. This person has extensive contact with the public and deals with confidential and sensitive information. Responsible for preparation of materials for quarterly meetings of the Board, all committee meetings, and subsequent follow-up to meetings of the Board. Provide program and administrative support to staff of the agency. This requires monitoring the work flow of the agency and knowledge of roles and responsibilities of the Board.

3. The goals and percentages as set forth on this position description are as follows:

a) "30% A. Provide program assistance and secretarial support to Executive Director and Board Chairman." This goal includes the activities of composing correspondence, taking dictation, typing/word processing, soliciting information at the request of the director and chairman, making travel and related arrangements, coordinating the director's schedule, arranging meetings for the chairman, arranging and assisting in the conduct of employment interviews, preparing confidential personnel documents for the director and chairman, and gathering and preparing reports and documents.

b) "20% B. Provide support services to the Board in preparation of open meetings of the Board and written record and subsequent follow-up." This goal includes the activities of organizing, scheduling and arranging meetings, preparing and coordinating materials for board members, and recording, transcribing, and distributing minutes.

c) "40% C. Provide program and administrative support to staff of the WAB." This goal includes the activities of collecting agenda items for weekly staff meetings, preparing and distributing agendas, preparing, typing, and distributing weekly work schedules for the staff; handling, screening and routing incoming correspondence and telephone calls, responding directly to some, including answering general information requests from the public; following up as needed to ensure that staff follow instructions of executive director to meet agency deadlines, and notify executive director of any problems in this regard; developing, maintaining and managing files on such matters as routine correspondence, inquiries, and current legislation, and purging obsolete material for records center storage and disposal; developing, maintaining and updating the agency policies and procedures manual, which involves identifying new policy items originating from board meetings from recordings of the meetings and from program applications when updated; coordinating the promulgation of administrative rules, including bringing areas of concern to the attention of program staff, developing a log of activities necessary for promulgation and preparing materials for submission to the

legislature;¹ serving as agency records and forms manager, which includes maintaining a list of agency forms for the agency's annual report, preparing records disposal authorization for the records center, coordinating with support staff files that are required to be transmitted to the records center, and attending quarterly meetings; conducting special projects as necessary, such as maintaining and developing files on panelists for advisory peer review panels; assisting with grant activities, including preparing meeting notices, posting notices, and making travel arrangements; developing office forms as necessary.

d) "10% D. Perform as lead worker for receptionist providing support for staff." This goal includes the activities of assigning and establishing work priorities, coordinating available office support staff to handle workload, training and assisting staff to ensure that deadlines are met, and developing interview questions and participating in interviews.

4. Appellant's position reports directly to the executive director.

5. The duties and responsibilities of appellant's position that have been added or expanded since her prior (1987) PD (Respondent's Exhibit 4) are basically accurately set forth in Respondent's Exhibit 6, Form AD-EA-48, "Request for Classification Review and Analysis." In summary, the added responsibilities are arranging and participating in employment interviews, preparing materials of general interest for distribution to board members and staff, developing and maintaining the agency's policies and procedures manual, coordinating the promulgation of administrative rules, serving as the agency's records and forms officer, and performing as the lead worker for the receptionist. These new duties constitute 30% of appellant's position. The expanded duties involve, in summary, composing letters for the board chairman, conducting telephone calls to solicit information at the request of the executive director and the board chairman, coordinating the executive director's schedule and arranging meetings for the board chairperson, preparing confidential personnel documents as secretary to the board chairman and the executive director, assembling material and information for use in preparing agenda and preparing and posting agenda, recording and transcribing minutes and meeting files, following up as needed to ensure that instructions/directions by

¹ As discussed below, the hearing record established that appellant's activities in this area include actually drafting rules with input from program staff.

meeting files, following up as needed to ensure that instructions/directions by the executive director are followed by staff to meet agency deadlines and reporting problems to the executive director, developing and maintaining files, and conducting special projects as requested — i.e., maintaining and developing files on panelists eligible to serve on advisory peer review panels. These expanded duties constitute 30% of this position.

6. The Arts Board has 17 employees. Its major function "is to study and assist artistic and cultural activities in the state, assist communities in developing their own art programs, and plan and implement funding programs for groups or individuals engaged in the arts." Appellant's initial brief, p.4.

7. The position standard for the secretary series, Respondent's Exhibit 2, contains the following class description and examples of work performed for Secretary 2-Confidential (PR2-08):

Secretary 2 - Confidential, Supervisor or Conf./Supv. (PR2-08)

This is office assistance work of moderate difficulty in providing advanced personal secretarial services to a professional, educator, or administrator. Positions at this level perform all of the functions of the Secretary 1 and in addition perform the more complex personal secretarial tasks requiring considerable initiative, judgment, discretion, responsibility and specialized knowledge in applying established policies and procedures. Positions at this level are differentiated from those at the 1 level on the basis of the degree of authority exercised on behalf of the supervisor and the consequence of error and impact of those decisions. All such decisions require an extensive knowledge of organizational structure, work assignments, flow of work and procedural regulations among the organization's operating units. Work is performed under direction.

* * *

Secretary 2 - Confidential, Supervisor, or Conf./Supv. (Work Examples)

Performs complex secretarial responsibilities demanding extensive knowledge of organizational structure, work assignments, flow of work, and procedural regulations among operating units.

Screens visitors, mail and telephone calls.

Takes dictation and transcribes from tapes, rough drafts, forms, etc.

Types a variety of copy, including drafts and legislation, technical or medical materials, personnel documents, minutes, graphs, charts, correspondence and reports.

Types reports and records relating to budget, personnel, and administrative matters.
Maintains records of departmental income and expenses.
Sets up, maintains and controls a variety of files.
Attends staff meetings and takes minutes.
Maintains timekeeping records for staff.
Compiles statistics and submits monthly reports.
Directs part-time subordinates and/or students as assigned.
Prepares input for classified and student help payrolls from employe timesheets.
Maintains inventory of supplies; orders supplies; verifies orders and invoices against purchase requests.
Plans, assigns and guides the activities of lower level clerical personnel.

8. The position standard for the Program Assistant-Confidential series, Respondent's Exhibit 1, contains the following class descriptions and examples of work performed for Program Assistant 3-Confidential (PR1-08) and Program Assistant 4-Confidential (PR1-09):

PROGRAM ASSISTANT 3 - CONFIDENTIAL (PR1-08)

This is paraprofessional work of moderate difficulty providing a wide variety of program support assistance to supervisory, professional or administrative staff. Positions are delegated authority to exercise judgment and decision making along program lines that are governed by a variety of complex rules and regulations. Independence of action and impact across program lines is significant at this level. Positions at this level devote more time to administration and coordination of program activities than to the actual performance of clerical tasks. Work is performed under general supervision.

PROGRAM ASSISTANT 4 - CONFIDENTIAL (PR1-09)

This is paraprofessional staff support work of considerable difficulty as an assistant to the head of a major program function or organization activity. Positions allocated to this class are coordinative and administrative in nature. Positions typically exercise a significant degree of independence and latitude for decision making and may also function as leadworkers. Positions at this level are differentiated from lower-level Program Assistants on the basis of the size and scope of the program involved, the independence of action, degree of involvement and impact of decisions and judgment required by the position. Work is performed under direction.

* * *

PROGRAM ASSISTANT 3-CONFIDENTIAL - WORK EXAMPLES

Prepares reports, research project data, budget information, mailing lists, record keeping systems policies and procedures, training programs, schedules and generally oversees operations.

Plans, assigns, and guides the activities of a unit engaged in the clerical support of the program assigned.

Develops and/or revises selected policies and procedures affecting the administration of the program.

Answers questions regarding the program or division via telephone, correspondence, or face-to-face contact.

May serve as an assistant in charge of secretarial and administrative tasks in an operation handling cash procedures, equipment orders, inventory, program preparation, pricing, etc.

Composes correspondence, maintains files of program-related data, sets up schedules and performs any related administrative support function necessary to the operation of the program.

May be in charge of public relations, preparing, and sending out pamphlets, brochures, letters, and various program publications.

PROGRAM ASSISTANT 4-CONFIDENTIAL - WORK EXAMPLES

Plans, assigns, and guides the activities of a unit engaged in current projects or programs. Researches and produces, as recommended by federal regulations and through the direction of an immediate supervisor, necessary data and information to prepare grant applications based on federal, state, and local funding regulations.

Interprets rules, regulations, policies, and procedures for faculty, other employers, and the public.

Prepares various informational, factual, and statistical reports.

Assists in the development and revision of policies, laws, rules, and procedures affecting the entire program or operation.

Coordinates units within the department, between departments, or with the general public in an informative capacity for a variety of complex matters.

Conducts special projects; analyzes, assembles, or obtains information.

Prepares equipment and material specifications, receives bids, and authorizes the purchase of an operating department's equipment, material, and supplies.

Analyzes, interprets, and prepares various reports.

Administers and scores admission and placement tests; administers nationally scheduled examinations; confers with applicants regarding test interpretations.

9. Other positions used for purposes of classification comparison may be summarized as follows:

a) PA 4, Educational Communications Board (ECB), Patricia E. Berkan, incumbent, Appellant's Exhibit 8. This position functions as the program assistant to the ECB and the personal secretary to the executive director. It has a 65% allocation for "Board Preparation and Coordination," which includes preparing minutes, coordinating meeting arrangements, writing suggested resolutions and policies for the Board's consideration, as assigned, and preparing FCC ownership reports for filing. It also performs similar functions for the ECB's committees and the Wisconsin Public Broadcasting Foundation. It also has a 25% allocation for performing administrative secretarial services, which includes "coordinates extensive contacts with and provides information for the Governor's office, legislators, the press, the public, internal staff and a variety of state and federal agencies," and 10% administrative support, which consists of special projects and maintenance of FCC-required public inspection files. In comparison to appellant's position, this position is essentially comparable in terms of its functions, as both provide program support for a board, serve as personal secretary to the executive director, and perform similar functions such as taking minutes, coordinating meeting arrangements, etc. While appellant's position is responsible for the administrative rules process, the policies and procedures manual, and the forms and records program, the ECB position maintains the Board handbook on policies, agreements, etc., writes resolutions and policies for board consideration, prepares FCC ownership reports for filing, and is responsible for the FCC-required public inspection files. The ECB position is slightly stronger than appellant's position in terms of the PA4 criteria of "size and scope of the program involved . . . and impact of decisions" (PA positions standard, see Finding #7) inasmuch as the ECB is larger, involves legislators, state agencies and the board of regents rather than solely citizen members, and it has responsibilities with respect to significant ECB committees and the Wisconsin Public Broadcasting Foundation.

b) PA4, DOA Division of Facilities Management, Alice Culp, incumbent, Appellant's Exhibit 9. This position functions as the recording secretary to the State Building Commission and assists the division administrator in the operation of division management functions. Administrative duties include the composition of correspondence, performance of office management

tasks, performance of coordinative and administrative tasks for the commission, including preparing minutes, notices of meetings, etc. This position also is responsible for independently determining which commission items should have press releases, and independently authoring large numbers of press releases. Also, this position has program responsibilities with respect to the minority business enterprise program, which includes the approval of subcontractor lists, verifying minority subcontractors, and maintaining and preparing various records and reports with respect to minority subcontractors. This position also is essentially comparable to appellant's position in terms of its tasks. This position also is somewhat stronger than appellant's position in terms of the criteria of "size and scope of the program involved . . . and impact of decisions," (PA4 description, Respondents' Exhibit 1) inasmuch as the building commission includes the governor and legislators and makes decisions which have a much larger financial impact and consequently larger consequence of error. This position is also strengthened from a classification standpoint by its 20% independent responsibility for the preparation press releases.

c) PA4, DHSS, Division of Community Services, Linda McCann, incumbent, Appellant's Exhibit 10. This position provides program and secretarial support to the division administrator and the assistant/deputy administrator. The position summary for this position is as follows:

Under general supervision, this position is responsible for providing program support and secretarial functions for the Division Administrator and the Assistant to the Administrator. This position is responsible for handling and preparing confidential and sensitive correspondence which has impact on the employe/employer relationships including proposed contract language changes, bargaining strategies, grievance responses, and discipline letters. This person has extensive contact with public officials (Governor's Office, legislators, agency executives, bureau chiefs, and division administrators) and deals constantly with confidential and sensitive information. The position requires tactful monitoring of work flow and detailed knowledge of roles and responsibilities with the Division, throughout the Department and other public and private agencies.

The emphasis of this position is on providing liaison and communication between the administrator's office and the division's bureaus and regions. This position does not have the administrative rules responsibility of appellant's

position. However, this position's classification level reflects a larger size and scope of program involved inasmuch as the division has approximately 300 employees.

c) PA4, DILHR, Barbara Novicle, incumbent, Appellant's Exhibit 11. This position performs administrative support functions for the administrator of the administrative division within DILHR. Activities include reviewing personnel transactions, including certification requests, terminations, transfers, reclassifications and leaves of absence, approving standard requests and routing non-standard requests to the division administrator for resolution; reviewing purchase requisitions with approval authority for those under \$500; serving as division travel coordinator; developing and maintaining a follow-up system for the administrator's assignments to staff, and assuring the timely preparation of reports; functioning as lead-worker for half-time clerical and coordinating secretarial support for all support staff assigned to the administrator's office; providing secretarial support for the administrator; coordinating the departmental administrative rules process and providing technical review of rules, including responsibility for processing and distributing rule-making notices, including those to legislative committees, Revisor of Statutes, Secretary of State, etc., and annually reviewing and updating the DILHR Rules Manual and providing any necessary training on technical processing of rules to lin division staff. This position is comparable to appellant's position in terms of tasks performed. It is at a higher level in terms of complexity, size and scope of the program involved and degree of impact, inasmuch as this position is responsible for the entire departmental rules process for DILHR, as opposed to a small agency like the Arts Board.

e) PA4, Public Service Commission (PSC), Kathleen Olson, incumbent, Appellant's Exhibit 12. As set forth in the position summary, this position "provides administrative and secretarial support to the chairperson and Executive Assistant, serves as lead worker in organizing and directing the support activities in the commission office, does preparation for and follow-up to commission meetings and serves as backup to the commission secretary." This general description includes writing speeches and drafting letters for the chairperson, functioning as liaison between the chairperson and executive assistant and the legislature, compiling data and performing research activities for the chairperson and executive assistant, following up with assigned

staff to ensure that the commissioners' instructions are being followed in a timely manner, and acting as leadworker for the commissioners' office support staff (2 Secretary-2's). This position is generally comparable to appellant's position with respect to kinds of functions but is at a higher level in terms of the complexity of its responsibilities and the size and scope of the program involved and the impact of decisions made, in light of the substantially larger and more complex program administered by the PSC, the fact that the commissioners are full-time rather than citizen appointees.

f) PA3, DOA (Claims Board), Donna K. Sorenson, incumbent, Respondent's Exhibit 7. This position is described in the position summary as follows:

Independently serves as the sole liaison between the State Claims Board and the public and independently administers the State Claims Board program. This involves the responsibility for accurately identifying the nature and impact of claims against the state, attempting to effect formal resolution of the claims via the establishment of communication links between claimants and respondent agencies or their respective representatives. This also involves identifying precedent board decisions; performing research to verify allegations and information concerning claims; attending monthly Claims Board meetings; preparing written decisions of Claims Board proceedings; and for certain claims not requiring board action, determining which claims should be paid.

Under direct supervision of departmental legal counsel, has secured working knowledge of administrative rule process, creating, amending and repealing administrative rules. This also involves working with person requesting proposed rule amendment to current rule; drafting outline of proposed rules according to the format and style of the Revisor of Statutes and the Legislative Council Clearinghouse.

This position's orientation is more directly involved in program implementation than appellant's position. From a classification standpoint, this position is at least as strong as appellant's position in light of its independence of action and level of responsibility in independently administering the claims process, which includes developing procedures and evaluating and preparing claims for hearing, which includes conducting research and analyzing claims.

g) PA4, DOA, Division of Budget and Planning, Donna Dunkel, incumbent, Respondent's Exhibit 8. The major task of this position is set forth in its PD as follows:

- A1. Coordinate the production of large or complex budget documents. These documents require a high level of accuracy; they are usually sent to the Governor, legislators, the press and state agencies by the Governor, DOA Secretary or Budget Director. Accuracy and visual appearance are very important to avoid misrepresenting budget information or causing embarrassment to the Administration. All documents are considered sensitive. The types of documents range from memos/letters on bills/budget provisions; briefing papers for the Governor; policy papers; veto messages; Budget Highlights, etc. They are prepared under very short deadlines and stressful conditions due to overlapping priorities (i.e., many times several documents are in process at the same time)

The foregoing involves the preparation of budget documents in camera-ready format for the printer. In addition, this position is responsible for coordinating the "Governor's Appointment Profile System," and is responsible for keeping track of the status of over 1000 gubernatorial appointments. This function requires "knowledge of the appropriate statutes and legal steps for appointments." It is also responsible for keeping track of pending legislation, serving as the division computer resources coordinator, providing "[p]rogram support and coordination of §13.10 Joint Committee on Finance meetings; plan, assign and guide activities related to §13.10." This goal includes the following activities:

1. Develop and revise policies and procedures related to the s. 13.10 process to ensure that the process runs smoothly and that all deadlines are met.
2. Set due date for agency requests and prepare official meeting notice which announces the meetings to all State Agency Heads (65), State Agency budget contacts (65) Joint Committee on Finance members and other appropriate persons. Through contact with Joint Committee on Finance staff and the Legislative Fiscal Bureau, ensure completeness and accuracy of legislative mailing lists.

* * *

8. Prepare memo summarizing requests and inserts giving a brief description of each. Compare inserts against agency requests to ensure that the insert reflects precisely what the agency is requesting.

* * *

15. Prepare briefing agenda and packets for final distribution to Joint Committee on Finance. Ensure that information is accurately transferred from analyses to inserts. Packets shall include agenda for meeting, Governor's recommendation, final form DOA analyses of agency requests, statutorily required reports and balance reports and miscellaneous materials related to quarterly meetings.
16. After the meeting, review "draft" minutes for accuracy compared to roll call sheets and vote tallies and have final prepared. Ensure that each item contains the correct appropriation, funding source and amount.
17. Final copy of the minutes requires signatures of the Co-Chairman of the Joint Committee on Finance who presided at the meeting and the Governor. Arrange for those signatures with appropriate Governor's Office and Legislative Fiscal Bureau staff persons so that the final minutes are distributed within statutory deadlines.
18. After signatures are obtained have copies of the minutes made and distribute to appropriate affected agencies, Governor's staff, DOA Secretary, Budget Office, Joint Committee on Finance, and Legislative Fiscal Bureau as prescribed in the statutes.
19. Prepare permanent record of 13.10 meeting. Ensure that all materials related to Committee action are in the record. microfiche and periodically send originals to Historical Society for permanent storage.

From a classification evaluation standpoint, this position is at a substantially higher level than appellant's position, primarily in terms of the complexity and scope of program and the potential impact of decisions.

h) Secretary 2, DOA, Division of Finance and Program Management, Trudie Rusu, incumbent, Respondent's Exhibit 9. This position has a 45% allocation for the provision of secretarial services to the division administrator and assistant administrator of a division of 65 employees that has responsibility for statewide programs with major impact; 35% for acting as the

division office manager and property coordinator, which involves responsibility for serving as the focal point for the division's procurement activities, and being knowledgeable of statewide and departmental procurement policies and procedures; and 20% for directing and supervising the job duties of the division receptionist and co-op student. This position is basically similar to appellant's position in terms of the nature of the tasks performed. From a classification evaluation standpoint, appellant's position is slightly stronger because its responsibilities for developing and coordinating the promulgation of the agency's administrative rules, policies and procedures manual reflect a higher level of diversity, complexity, level of responsibility and potential impact of decisions.

10. Respondent DOA conducted a classification review of appellant's decision and determined, as set forth in a memo dated December 3, 1990, Respondent's Exhibit 3, that appellant's position was most appropriately classified as a Secretary 2-Confidential.

11. Based on the record before it, the Commission finds that appellant's position is most appropriately classified as Secretary 2-Confidential.

CONCLUSIONS OF LAW

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

2. Appellant has the burden of proof to establish that respondents' denial of her request from reclassification from Secretary 2-Confidential to Program Assistant 3-Confidential or Program Assistant 4-Confidential was incorrect.

3. Appellant has failed to sustain her burden of proof and it is concluded that Respondent's decision was not incorrect.

DISCUSSION

The large majority of the duties and responsibilities of appellant's position fits within the class definitions and work examples for Secretary 2 and PA 3 as set forth in the relevant position standards, Respondents' Exhibits 2 and 1 respectively. The most recent position description for appellant's position, Respondents' Exhibit 5, contains a 30% goal of providing program assistance

and secretarial support to the executive director and board chairperson. These activities — e.g., composing letters, typing correspondence, making travel reservations, arranging employment interviews, etc. — clearly fall within the Secretary 2 parameters. The second goal (20%), is to provide support services with respect to board meetings. This goal also includes activities which fall within the scope of the Secretary 2 classification — e.g., scheduling board meetings, assembling material and information for use by the executive director and chair to prepare agendas, recording, transcribing, and distributing minutes of board meetings, etc. The third goal (40%), providing program and administrative support to board staff, includes activities which are predominantly Secretary 2 or PA3 in nature, for example, collecting agenda items for staff meetings, determining mail distribution, etc. However, there are two activities which are more appropriately identified at a higher — i.e., PA4 — class level.

Activity C5, developing and maintaining the board's policy and procedures manual, arguably falls within this PA3 work example: "Develops and/or revises selected policies and procedures affecting the administration of the program," as respondents contend. However, because this policies and procedures manual is for the entire agency, this activity is closer to this PA4 work example: "Assists in the development and revision of policies, laws, rules and procedures affecting the entire program or operation." This PA4 work example also encompasses appellant's activities with respect to administrative rules promulgation, item C6.²

With respect to item C7, serving as the agency's records and forms manager, there is nothing in the record on which to base a conclusion that this should be at the PA4 rather than the PA3 or Secretary 2 level. Also, it appears to fit within the PA3 work example which includes preparing reports and record keeping systems policies and procedures, which reinforces the conclusion it cannot be considered to be at the PA4 level.

The last item on appellant's PD is 10% as lead worker to the board receptionist. This type of work is set forth in the Secretary 2 work examples ("Plans,

² While her PD states that appellant "[c]oordinate[s] the promulgation of administrative rules . . .," the un rebutted testimony of the executive director and the deputy director was that she also actually drafted the rules in consultation with program staff.

assigns, and guides the activities of lower level clerical personnel.") While a PA4 could be involved in lead work, there is nothing on this record upon which to conclude that appellant's leadwork, in and of itself, should be considered as PA4 level work.

Therefore, based on appellant's PD and the position standards, it can be concluded that all of goals A, B and D, which total 60%, are at the PA3 or Secretary 2 level. Of the 40% of the position represented by goal C, only 2 of the 10 items are at the PA4 level. However, both parties also have placed position descriptions in the record which also must be considered.

The position descriptions the parties submitted reflect a wide range of positions classified at the PA4 level. The position which is probably the most comparable to appellant's is the PA4 assigned to the ECB, see Appellant's Exhibit 8. The tasks of this position include very similar duties with respect to providing support for ECB meetings and the executive director. While this position does not have appellant's administrative rules promulgation responsibilities, it does have responsibility for preparing FCC ownership reports for filing and for the FCC required Public Inspection Files. Also, the testimony of respondents' personnel specialist supports the conclusion, that the ECB's size and makeup (legislators, etc. versus citizen members) makes it a more significant position from a classification standpoint. However, if this case were based solely on a comparison between these two positions, it would be difficult to justify completely different classification levels for these positions. A slightly less favorable comparison for appellant is the PA4 in the Division of Community Services in DHSS, see Appellant's Exhibit 10. While it does not have appellant's administrative rules promulgation responsibility, it does have a significant coordinative and liaison role between the administrator and other units in the division, as well as with entities outside the agency, and the division is far larger than the board, which make the position somewhat stronger in terms of scope and impact.

The other positions support respondents' case. Without going through these comparisons in detail, some of these PA4 positions are far stronger from a classification standpoint — e.g., the PSC position, see Appellant's Exhibit 12, and the position in the Division of State Executive Budget and Planning, see Respondents' Exhibit 8. The PA3 position assigned to the Claims Board, see Respondents' Exhibit 7, also provides strong support for respondents' case,

because of its considerable independence and responsibility for a wide range of significant program decisions. The Secretary 2 position in the Division of Finance and Program Management, DOA, see Respondents' Exhibit 9, also is somewhat similar to appellant's position in terms of the kinds of activities performed. While this position does not have appellant's rules promulgation responsibility, this is more or less offset by the goal of performing as the division office manager and property coordinator.

In conclusion, appellant was able to make a relatively favorable comparison between her position and the ECB PA4 position, and, to a lesser extent, to the PA4 in the Division of Community Services. However, the other position comparisons favored respondents' case, including some PA4's that were substantially stronger. Substantially in excess of 60% of appellant's PD clearly fits within the PA3 or Secretary 2 position standards. Therefore, appellant failed to sustain her burden of proof of establishing that her position should have been reclassified to PA4. With respect to the question of whether her position is more appropriately classified as PA3 or Secretary 2, the record supports respondents' determination that since her work is more secretarial in nature, as described in the Secretary 2 position standard, it should remain in that series.

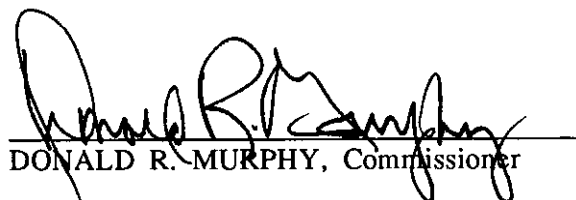
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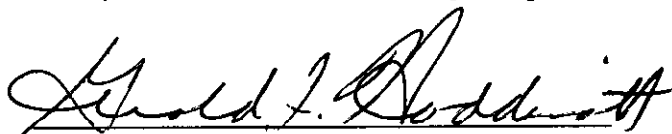
Respondents' action of retaining appellant's position at Secretary 2 is affirmed and this appeal is dismissed.

Dated: October 31, 1991 STATE PERSONNEL COMMISSION


LAURIE R. MCCALLUM, Chairperson

AJT:ajt:gdt/2


DONALD R. MURPHY, Commissioner


GERALD F. HODDINOTT, Commissioner

Parties:

Bonnie A Marks
105 Kennedy Heights
Madison WI 53704

James Klauser
Secretary, DOA
101 S Webster St
P O Box 7864
Madison WI 53707

Jon E Litscher
Secretary DER
137 E Wilson St
P O Box 7855
Madison WI 53707