

6. Appellant's duties as described in her Position Description, dated December 9, 1991, were:

Payroll and Benefits Assistant 2 (50%)

Position Summary: Under the direction of the Administrative Program Manager in the Medical School Payroll office, this position is responsible for coordinating all aspects of the biweekly payroll for over 200 LTEs, including payroll, funding, IADS appointment system and fringe benefit responsibilities. In addition, this position assists with the student hourly, classified and unclassified payroll processing.

TIME% GOALS AND WORKER ACTIVITIES

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| 70% | A. Coordination of the biweekly payroll process for over 200 LTEs in the Medical School to ensure timely and accurate payments. This includes payroll, benefits, funding and appointment system responsibilities. This requires detailed knowledge of payroll and benefits provisions of federal and state laws, UW-Madison and Medical School policies and procedures, DER rules and Wisconsin Administrative code, bargaining unit agreements and the compensation plan. |
| 25% | B. Perform payroll support activities for the student hourly, classified and unclassified payroll processing and the classified leave accounting processing. In conformance with federal and State laws, the State Compensation Plan, collective bargaining agreements and University of Wisconsin, UW-Madison and Medical School policies and procedures.... |
| 5% | C. Performance of other duties. |

7. Appellant's Position Description, dated December 9, 1991, accurately described and represented her duties, when her position was reviewed during the reallocation process.

8. Appellant's work schedule was:

Payroll Weeks: 7 hours per day on Mondays, Tuesdays, and Wednesdays.

Non-Payroll Weeks: 7 hours per day on Mondays and Tuesdays, 5 hours per day on Wednesdays.

Biweekly total of 40 hours.

9. Appellant was supervised by Kathleen M. Schoenherr, an Administrative Program Manager 3.

10. Others in the payroll office supervised by Schoenherr included two Payroll and Benefits Specialist (PBS) 3's processing unclassified employee payrolls, one 70% time PBS 3 processing classified employee payrolls, one PBS 2 processing classified employee payroll the majority of the time and student payroll, and a student hourly performing routine clerical duties.

11. The Payroll and Benefits Assistant and Payroll and Benefits Assistant - Confidential¹ classification specification provides:

II. Definitions

Payroll and Benefits Assistant

This is the objective level for clerical positions performing routine clerical payroll and/or benefits related duties. Work is performed under general supervision. Positions at this level spend the majority of their time on duties such as:

* General Office duties

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* Student Payroll duties

* * *

* Limited Term Employee (LTE) Payroll Processing duties

Perform and coordinate the payroll and record keeping activities for all LTE positions. Manage and enhance the manual and on-line monitoring system for LTE accurate time reporting. Process LTEs onto payroll by reactivating or establishing new appointment. Administer Unemployment Compensation (UC) reporting for layoff LTEs applying for UC benefits or conduct verification of UC claim requests. Conduct salary verifications. Monitor LTE eligibility for benefits and process timely applications. Process UC quarterly report. Maintain and update IADS. Inform employing unit of LTE balance accounts. Audit, input on-line and reconcile totals of LTE timesheets. Review timesheets for overtime and other special pay eligibility and verify accuracy of hours reported, resolve data entry errors, process check corrections and special payrolls. Audit funding amounts on fiscal year reports, IADS forms for accuracy and completeness and coordinate corrections. Review monthly accounting requisition listing

¹ The "Confidential" allocation is based on provisions in §111.81(7)(a), Stats., which defines this term as: employees who are privy to confidential matters affecting the employer-employee relationship, as well as all employees of the [Wisconsin Employment Relations C]ommission.

for payroll problems and resolve. Audit and correct salary payment transfers. Review and adjust Fair Labor Standards exception reports. Resolve routine problems. Assure completed payroll documents are signed and distributed to appropriate destinations. Maintain records and files. Inform appropriate staff about changes affecting LTEs. Review hours for LTEs who also hold classified positions. Notify LTE employees when they are approaching the maximum hours they can work in that position. Enter new LTE on Walker employe maintenance file system.

* Special Payroll duties

Process payroll for subsidized employment programs and LTEs hired through special programs. Prepare and maintain individual payroll files. Prepare turnaround documents, deduction authorization reports and employe location reports. Calculate hours of employment. Key hours on APS system. Distribute checks, answer inquiries and distribute wage and tax statements. Process court ordered wage assignments, prepare reports, develop and maintain manual and computerized data on work-study release and contract programs. Prepare, process and maintain records related to inmate payroll for Badger State Industries and Farms.

Representative Positions

UW Eau Claire - Responsible for preparing, implementing and distributing the Student Payroll; providing clerical support for Payroll Services, maintaining R-base records for unclassified absence reporting; processing the Critic Teacher payroll; and administering the Savings Bond Program.

UW Extension - Responsible for processing the payrolls and related tasks for Students and LTE; and processing the leave accounting transactions as back-up.

UW Housing - Responsible for auditing, verifying and entering time cards for Student and LTE payrolls; distributing paychecks; and providing backup support to Payroll and Benefits Specialists.

UW Medical School - Responsible for coordinating all aspects of the biweekly payroll for LTEs, including payroll, funding, IADS appointment system and fringe benefit responsibilities.

UW Milwaukee - Responsible for inputting, auditing and updating all student pay and related transactions via an on-line computer system and coordinating and scheduling the work flow and reporting process to a central processing center.

UW Department of Ophthalmology - Responsible for preparing payroll documents and transactions and maintaining departmental staff benefits services.

UW Parkside - Responsible for the preparation and processing of regular and work-study student payrolls; coordinating and processing LTE payroll; and backup to Payroll and Benefits Specialist.

UW Platteville - Responsible for coordinating and processing the student payroll; coordinating the Worker's Compensation Program; sorting and stuffing classified and unclassified checks; preparing the federal labor report; verifying earnings; and answering questions.

WARF System Administration - Responsible for preparing Receipt Remittance Advice forms and making deposits; maintaining year-to-date totals for student payrolls; preparing certain monthly insurance reports; processing refunds from Deferred Accounts; distributing computer outputs and checks; and maintaining the Savings Bond Accounts.

12. The classification specification for Payroll and Benefits Specialist 2 positions provides:

This is the objective level for complex payroll and/or benefit functions requiring a full range of Payroll and Benefits knowledge. The work is well defined for the majority of the time (more than 50%) and is performed under general supervision.

13. The classification specification for Payroll and Benefits Assistant best describes appellant's position.

CONCLUSIONS OF LAW

1. The Commission has authority to hear this matter pursuant to §230.44(1)(b), Stats.

2. Appellant has the burden of proving respondent's decision reallocating her position to Payroll and Benefits Assistant rather than Payroll and Benefits Specialist 2 was incorrect.

3. Appellant has not met the burden of proof.

4. Respondent's decision reallocating appellant's position to Payroll and Benefits Assistant was correct.

DISCUSSION

This case is straight forward. The facts are undisputed. Appellant argues that her position is independently responsible for processing the entire payroll for 240 LTE's for the Medical School. The Medical School,

consisting of more than 35 departments with offices and employes in Madison and throughout the state, is one of the largest units on the University of Wisconsin - Madison campus and is a main payroll and benefits office as defined in the applicable classification specification.

Appellant argues that her position requires a full range of payroll and/or benefit knowledge because limited term employes at the Medical School perform a variety of functions for various periods of time, moving on and off the payroll throughout the year, and she argues for the stated reasons that her position would be more appropriately classified at the Payroll and Benefits Specialist 2 level.

In support of her arguments, appellant references the testimony of Kathleen M. Schoenherr, an Administrative Program Manager 3. The testimony of Schoenherr, appellant's immediate supervisor, substantiated the factual underpinnings of appellant's arguments. She stated that LTE's at the Medical School function with blue-collar, clerical, technical, scientific and educational positions of various descriptions and classifications. Schoenherr also stated that funding at the Medical School is more complex than other payroll offices which rely primarily on GPR funds.

Respondent does not take issue with Schoenherr's or appellant's testimony about work performed by appellant, but argues that these duties do not meet the criteria for a PBS 2 because they do not involve "complex payroll and/or benefit functions requiring a full range of payroll and benefit knowledge" and they are not "well-defined and complex for the majority of the time" as described in the classification specifications. Also respondent argues that appellant in processing LTE payroll makes few pay adjustments and that her work does not involve payroll adjustments such as merit increases, discretionary performance awards, stratification increases for seniority, "add-ons" for certain degrees, common to classified and unclassified positions.

Further, respondent argues that LTE's are not covered by collective bargaining agreements and therefore appellant's duties do not include interpreting and applying many provisions of those agreements. Respondent also argues that appellant's position is comparable to that of Jean Kowald (Respondent Exhibit 11), a P&B Assistant in the Department of Revenue, who spends 85% of her work time processing payroll for 550 LTE's and in contrast to several PBS 2 positions (Respondent Exhibits 13-18) which are responsible for processing payroll for a variety of appointment types, including LTE's,

students, grad assistants, academic staff, faculty, classified employes and unclassified employes.

In reply, appellant points out that the Jean Kowald position in the Department of Revenue as described in her Position Description (Respondent Exhibit 11) is primarily (85%) responsible for payroll record keeping and statistical records for LTE's and does not involve in-depth payroll and benefit processing. Also in rebuttal, appellant states that she processes LTE hires equivalent to the 550 LTE hires referenced in Kowald's Position Summary, because of constant movement by LTE's on and off the payroll throughout the year.

The Commission believes that appellant's position best fits the Payroll and Benefits Assistant class specifications. The evidence on record clearly establishes that appellant's position is primarily responsible for processing LTE payroll and benefits as described in the specifications for Payroll and Benefits Assistants. While appellant's position may represent the higher range of this classification, it compares more favorably to the Kowald position than to the PBS 2 positions described as representative of that classification level and exemplified by Respondent Exhibits 13-18. Accordingly, based on the record, the Commission must find against appellant.

ORDER

Respondent's decision is affirmed and appellant's appeal is dismissed.

Dated: April 30, 1993 STATE PERSONNEL COMMISSION


LAURIE R. McCALLUM, Chairperson

DRM:rcr


DONALD R. MURPHY, Commissioner


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.