

3. Ms. Alsmo supervises six Payroll and Benefits Specialists, including the appellant, who serves as the leadworker for the group. The appellant is the only one who has responsibility for handling payroll and benefits for the hospital's unclassified employees. The remaining 5 Payroll and Benefits Specialists in the office have responsibilities for various segments of the classified staff.

4. The appellant's duties are reflected in the following excerpts from the appellant's position description dated December of 1991, with time percentages modified to reflect the testimony at hearing:

Summary -- Work includes preparation of monthly payrolls for 525 faculty-academic and 400 postgraduate trainees, project assistants, interns, and trainees. This person functions as lead worker and assists with training of new department employees. This position requires a person capable of coordinating payroll functions with all level of hospital management. This person must be able to interpret payroll policies and relate the interpretations to various departmental functions. Because of the complexity and volume of the hospital payroll function, much independent judgement is necessary and work is performed under general supervision.

35% A. Maintenance of payroll/personnel data required to establish payroll files for 925 persons with an annual salary budget in excess of \$27.8 million.

20% B. Provision of payroll/personnel/fringe benefit information to supervisors and employees.

5% C. Maintenance of academic leave information

20% D. Reconcile payroll and budget information

20% E. Lead worker in a department with 8 payroll and benefits assistants plus clerical and student help.

5. The classification specification for Payroll and Benefits Specialist and Payroll and Benefits Specialist - Confidential, provides, in part:

I. INTRODUCTION

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B. Inclusions

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The only distinction between these series is that in order for a position to be allocated to the confidential series, it must be considered "confidential" in accordance with the provisions of s. 111.81, Stats.

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G. Definitions of Terminology

Central Processing Centers (CPC): WARF Processing Center (WARFPC), Peterson Payroll Processing Center (PPPC), and Department of Administration Central Processing Center (DOACPC).

Main Payroll and Benefit Offices: DOA Agency central payroll offices, PPPC College Dean level central payroll offices, and WARF campus central payroll offices.

Satellite Offices or Positions: Payroll and Benefits Assistant or Payroll and Benefits Specialist staff at PPPC College Department level and DOA Agency institutions, district offices or comparable.

II. DEFINITIONS

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PAYROLL AND BENEFITS SPECIALIST 3

This is the objective level for the following four allocations. The work is performed under general supervision.

1. This is the objective level for very complex positions that are in Main Payroll and Benefit Offices and have responsibility for a total complex payroll and benefit program.

* * *

OR

2. This is the objective level for very complex positions that are in Main Payroll and Benefit Offices and have responsibility for a portion of a complex payroll and/or benefit program. The majority (more than 50%) of the job duties typically performed are analogous to:

* Unclassified payroll and/or benefit functions:

Coordinate payroll and related functions for unclassified staff including academic, faculty, graduate assistants, critic teacher, and fellowship staff. Review new and revised appointments in assigned departments. Review IADS appointment forms and sup-

porting documentation assuring requirements are met. Review for validity of appointment. Review eligibility based on enrollment status or degree completion or title and salary requirements. Resolve problems with departments. Verify coding of IADS appointment forms. Input IADS appointment additions or changes on-line and resolve errors. Coordinate monthly and end-of-the-month payroll process to ensure timely/accurate payments. Audit all payroll documents and maintain records to assure compliance with federal and state laws, contracts and policies and procedures. Audit Personnel Action forms to determine entry required to revise payroll splits. Prepare check corrections if overpaid. Serve as primary contact concerning unclassified payroll including IADS processing, funding, and fringe benefit issues. Provide information or training on relevant laws, rules, policies, procedures and forms. Verify retirement system eligibility. Coordinate unclassified calculation output. Assure completed payroll documents are distributed appropriately. Respond to inquiries and complaints. Coordinate special processing. Recommend, establish and revise operating procedures and policies. Prepare material for manuals and training. Audit detailed and complex unclassified funding information with multiple funding sources. Coordinate all summer payrolls - intersessions, summer session and summer service. Ensure no employee is over 100% employee unless approved. Notify departments when a request for over 2/9ths form is needed. Review budgets and add encumbrances for gift and grant funds. Provide salary computations for employees contracted for less than 100% or atypical starting dates. Confirm wage information on Employment System documentation against contract. Calculate and issue resignation and termination wages and benefits. Initiate stop payments on lost or stolen checks. Maintain knowledge of federal and State laws as they pertain to U.S. citizens, resident aliens and international employees, securing appropriate documentation from foreign employees, inspecting visas and complying with international treaty provisions. Maintain official paid leave records by computing and inputting paid leave earnings, prorating and calculating earned paid leave. Update Employee Data Base monthly. Allocate sick leave monthly. Counsel and advise employees on fringe benefits available. Work with providers. Counsel employees on benefit changes. Develop and update benefit manual. Provide pre-retirement counseling. Process applications for insurance, employee reimbursement accounts (ERA), etc. Counsel employees regarding tax sheltered annuities and inform them of approved vendors. Prepare and process maximum exclusion allowance (MEA) and salary reduction forms. Establish and maintain records for terminated employees retaining benefits. Assist employees with insurance claims. Process disability and income continuation insurance claims. Reconcile monthly payroll register with PDS. Coordinate and process savings bond deductions. Calculate sick leave accumulation and usage.

* Classified payroll and/or benefit functions:

* * *

Representative Positions

* * *

UW-Medical School (Main Payroll & Benefits Office) Under the general direction of the Administrative Program Manager, responsible for coordinating payroll and related functions of considerable difficulty for the unclassified payroll; conducting the initial personnel review for new and revised unclassified appointments; coordinating the unclassified payroll processing; auditing detailed and complex funding information and functioning as a resource person and liaison for fringe benefit matters.

* * *

PAYROLL AND BENEFITS SPECIALIST 4

This is the level for lead worker positions in Main Payroll and Benefit Offices responsible for coordinating the payroll and benefit functions for the entire department.

The employe at this level must work in a complex organization structure having Satellite Payroll and Benefit staff and report to a supervisor whose primary responsibility is not payroll and benefits.

OR

This is objective level for the position performing very complex advanced payroll and benefit work at the WARF Central Processing Center.

The position coordinates the unclassified payroll processing for the WARF payroll center and assists in establishing UW System payroll policies. Duties include: Review academic year calendars for all institutions and effectively recommend changes. Develop payroll calendars. Develop, establish and implement the processing schedules. Review drafts of and effectively recommend changes to UW System policies and procedures and provide interpretations to PPC and WARF staff....

6. The payroll office at the UW-Hospital is a Main Payroll and Benefit Office rather than a Central Processing Center, as those terms are defined in the Payroll and Benefit Specialist specifications. The payroll office at the hospital does not have any satellite offices or positions filled by Payroll and Benefits Assistants or Specialists

7. The primary responsibility of appellant's supervisor, Ms. Alsmo, is payroll and benefits work rather than some other discipline.

8. The appellant's position is comparable from a classification standpoint to the position at the University of Wisconsin-Extension which is occupied by Kathleen Madigan and is classified at the Payroll and Benefit Specialist 3 level. The applicable position description includes the following summary:

This position is a lead worker in the payroll department and is directly responsible for processing all unclassified appointments (including federal appointments), unclassified payrolls and leave accounting for regular faculty and academic staff, and appointments and payrolls for ad hoc staff. These employees are located at the UW-Centers Administration Office, 13 UW-Center Campuses, and UW-Extension statewide.

9. The appellant's position is not comparable from a classification standpoint to the Helen Blancher position at the Department of Veterans Affairs, which has a working title of payroll coordinator and is classified at the Payroll and Benefits Specialist 4 level. Ms. Blancher is responsible for the "management and direction of the Department's payroll and employe benefits program which covers over 800 employes in two employing units.... including unclassified, LTE's, and classified nonrepresented, and represented covered by 11 collective bargaining agreements." The Department of Veterans Affairs has a satellite payroll office at the Veterans Home at King, which is staffed by persons classified in the Payroll and Benefits series. Ms. Blancher's supervisor is Joyce Krey, who, as personnel director, does not have technical knowledge of the payroll and benefits area.

CONCLUSIONS OF LAW

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

2. Appellant has the burden of proving by a preponderance of the evidence that respondents erred by reallocating the appellant's position to the the Payroll and Benefits Specialist 3 level rather than the Payroll and Benefits Specialist 4 level.

3. Appellant has not sustained her burden of proof and the Commission concludes that respondents did not err in allocating the appellant's position to the Payroll and Benefits Specialist 3 level.

OPINION

The class specifications in this matter include very specific language identifying duties for various allocations at both the Payroll and Benefits Specialist 3 and 4 levels. The respondent contends that the appellant's position is included within the second allocation at the 3 level, which is described as "the objective level for very complex positions that are in the Main Payroll and Benefit Offices and have responsibility for a portion of a complex payroll and/or benefit program." That allocation goes on to set forth an extensive list of duties which fall under the general heading of "unclassified payroll and/or benefit functions." It is undisputed that the majority of the appellant's responsibilities fall within the scope of the listed duties. The primary responsibility of the appellant which is not listed under this heading is her leadwork responsibility, which represents 20% of her time

While it can be argued that the leadwork responsibility should be reflected in a higher class level than the appellant's co-workers, the facts of the present case do not support such a result. The respondent offered the comparison position occupied by Kathleen Madigan to show that there are other leadwork positions in a main payroll office which are similarly classified at the 3 level. The first allocation listed in specifications at the 4 level clearly references leadwork, but it attaches several specific conditions, which the appellant's position does not meet. The first is that organizational structure must include "having Satellite Payroll and Benefit staff." The appellant acknowledged that the hospital payroll and benefits office does not meet this requirement. The second requirement of the first allocation at the 4 level is that the employe must "report to a supervisor whose primary responsibility is not payroll and benefits." The appellant's supervisor, Ms. Alsmo, has this responsibility along with the hands-on technical knowledge of payroll and benefits that goes with it. For these reasons, the appellant's position is clearly distinguishable from the Helen Blancher position described in finding 9, and fails to meet the requirements of the first allocation at the Payroll and Benefits Specialist 4 level. The appellant also does not perform the responsibilities required by the

second allocation at the 4 level, which is described as "the objective level for the position performing very complex advanced payroll and benefit work at the WARF Central Processing Center." The hospital payroll office is not a "Central Processing Center" as that term is defined in the specifications. In addition, the Commission notes that the appellant does not perform the policy review and development that is contemplated in the second allocation.

The appellant seeks to draw a distinction between positions with payroll and benefit responsibilities for unclassified as opposed to classified positions. This distinction is clearly not contemplated in the specifications, as reflected by the fact that the second allocation at the 3 level references both "unclassified payroll and/or benefit functions" and "classified payroll and/or benefit functions." The record is inadequate to support a conclusion that the explicit conclusion in the specifications, that unclassified and classified payroll and benefits responsibilities are comparable, is in error.

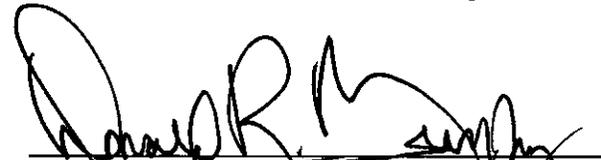
ORDER

The respondent's reallocation decision is affirmed and this appeal is dismissed.

Dated: December 10, 1992 STATE PERSONNEL COMMISSION


LAURIE R. MCCALLUM, Chairperson

KMS:kms
K:D:Merits-reall (Reithmeyer)


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.