
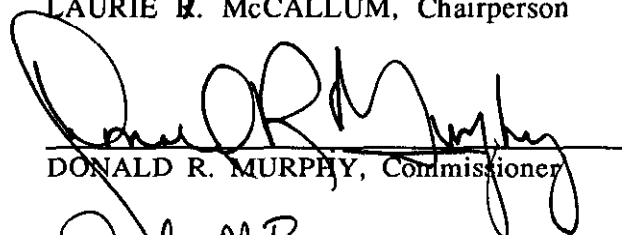





substantive changes. As a result, the Commission concludes that only a small percentage of appellant's position's RDA-related duties involve AA 5-level policy analysis responsibilities.

Dated: November 23, 1993 STATE PERSONNEL COMMISSION

  
LAURIE R. McCALLUM, Chairperson

  
DONALD R. MURPHY, Commissioner

  
JUDY M. ROGERS, Commissioner

LRM:rcr

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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.

Pursuant to 1993 Wis. Act 16, effective August 12, 1993, there are certain additional procedures which apply if the Commission's decision is rendered in an appeal of a classification-related decision made by the Secretary of the Department of Employment Relations (DER) or delegated by DER to another agency. The additional procedures for such decisions are as follows:

1. If the Commission's decision was issued after a contested case hearing, the Commission has 90 days after receipt of notice that a petition for judicial review has been filed in which to issue written findings of fact and conclusions of law. (§3020, 1993 Wis. Act 16, creating §227.47(2), Wis. Stats.)

2. The record of the hearing or arbitration before the Commission is transcribed at the expense of the party petitioning for judicial review. (§3012, 1993 Wis. Act 16, amending §227.44(8), Wis. Stats.)



1. Keeping agencies aware of new micrographic technologies.
2. Educating customers through periodic workshops and tours and the issuance of written materials.
3. Educating self about new advances by ongoing contacts with vendors, meetings, seminars, publications & professional organizations.
4. As requested, providing up to 80 hours of technical assistance per client problems on micrographic issues.
5. Developing guidelines and/or written materials to help agencies measure the benefits which could accrue to well-thought-through micrographic applications.
6. Assisting Section Chief in updating micrographic-related statutes and administrative rules.
7. Providing ongoing technical assistance to Section Chief.

The duties and responsibilities of appellant's position at the time of the subject reclassification request are accurately described in a position description signed by appellant in August of 1991. (Joint Exhibit 2) This position description shows that 45% of the position's time is devoted to managing the State Microfilm Laboratory (\$1,000,000 annual operating budget); supervising the Laboratory's 9 FTE employees who are classified as Microfilm Technicians in pay ranges 9, 10, and 11; developing annual and biennial budget recommendations, including changes to pricing structures, changes in personnel, equipment, and space needs, and decision item policy analysis. The remaining 55% of the position's time is devoted to:

30% A. Providing advice to assigned state agencies on records creation, retention, maintenance, and disposition requirements, practices, and technologies; providing advice to Public Records and Forms Board in relation to Records Disposition Authorizations (RDA's) submitted by assigned state agencies; serving as a consultant for state agencies and local units of government on micrographics issues; developing and providing records management training, primarily in the micrographics area; providing advice to state agencies relating to purchase of micrographics equipment; preparing draft of document imaging section of records management manuals.

20% B. Developing recommendations relating to records management policies, primarily in the micrographics area, for consideration by first-line supervisor, the Executive Secretary of the Public Records and Forms Board (PRFB); developing tools for

analysis of records management policies and practices; participating in the development of statewide general records schedules; evaluating and recommending improvements in records management programs of state agencies and local units of government, primarily in the micrographics area.

5% F. Attending intra-divisional, departmental, and statewide meetings, as assigned; acting for supervisor in his absence, as assigned; acting as back-up to Records Center Supervisor; working on special unit projects, e.g., overseeing remodeling of Section space, recommending Section office equipment purchases.

The positions offered for comparison purposes in the hearing record include the following:

1. AA 5-Sup--Patricia Bong--this position supervises the Production Unit of the DOA WISCOMP Center in the Division of State Agency Services. The WISCOMP Center performs printing services primarily for agencies of state government. The Production Unit consists of 3 distinct program areas: graphic arts; technical support, primarily in the computer programming area; and computer aided composition. This position supervises 15 FTE employees, including an AA 4-Sup (pay range 13) position; a Management Information Supervisor 1 (pay range 12) position; and a technical team consisting of Management Information Specialist 3 (pay range 13) and 4 (pay range 14) and Management Information Technician 3 positions. The work of the Production Unit is varied and highly complex. This position has authority to revise procedures, reallocate resources, make budget recommendations based on cost/benefit analyses designed and completed by this position, and recommend policies relating to the work of the Production Unit; and to recommend policies relating to the work of the WISCOMP Center. This position serves as the deputy to the Section Chief of the WISCOMP Section. (Joint Exhibit 14)

2. AA5--Helen Ledin--DOA Division of State Agency Services, Bureau of General Services, Records Management Section. This position functions as the statewide expert on forms management and paperwork reduction by: (35%) developing and implementing the statewide forms management/paperwork reduction program, developing prototype forms/paperwork control systems for state agencies, reporting internal and external cost savings methodologies, writing manuals and procedures, providing training on forms management/paperwork reduction issues to state agencies and local units of government, developing a program to improve the readability of state forms, conducting surveys of forms management/paperwork reduction concerns of business and public; (15%) evaluating state agency compliance with records management requirements, developing self-audit guides to allow agency

personnel to conduct internal program audits/self-assessments, auditing agency forms management programs, preparing statewide reports on various facets of the forms management/paperwork reduction program; (25%) providing statewide program leadership, policy analysis, and technical advice and assistance to state agencies, DOA, and the Public Records and Forms Board relating to forms management/paperwork reduction issues; (15%) conducting complex studies involving forms/paperwork reduction issues and making recommendations for improvement by standardization, simplification, automation and elimination of unnecessary forms and paperwork; (5%) assisting in staffing the Public Records and Forms Board; (5%) reviewing and analyzing prepared records retention schedules submitted by assigned state agencies. (Joint Exhibit 11)

The AA 4-Sup classification specifications (Joint Exhibit 16) state as follows, in pertinent part:

This is line supervisory work in a state agency or segment of a large state agency. Employees in this class have supervisory responsibilities over a large, moderately complex records processing and maintenance unit involving a variety of functions and having large clerical staffs with a number of subordinate levels of supervision and/or supervise and perform staff services in records, accounting, personnel, budgeting or purchasing. Employees are responsible for interpretations of laws, rules and departmental policies in carrying out their assigned functions.

\* \* \* \* \*

Examples of Work Performed

Assumes full responsibility for supervising a large records maintenance and processing section involving a variety of functions and a number of subordinate organizational units with a large number of employees.

Supervises and prepares special administrative surveys and studies for reports to aid in program development and improvement or other studies to increase the efficiency of work flow and/or production.

Develops and installs operating procedures, deadlines and priorities and makes recommendations concerning policies, rules, and proposed legislation.

Interprets laws, rules and departmental policies to employees, other governmental agencies, and the general public or their legal representatives.

The classification specifications for the AA 5-Sup classification (Joint Exhibit 17) state as follows, in pertinent part:

This is responsible line administrative and professional staff assistance work in a large state agency. Employees in this class direct an important function of the department and/or provide staff services in management areas such as accounting, purchasing, personnel or budget preparation. Employees in this class may be responsible for supervising a staff of technical, semi-professional or professional employees in directing the assigned program.

\* \* \* \* \*

Examples of Work Performed

\* \* \* \* \*

Directs the administrative services of a moderate sized department or specialized services of a major department such as budgeting, accounting, personnel and purchasing.

Performs a wide variety of top level staff assignments in many broad areas for the head of a major department, often acting with full authority of a director or commission.

The primary distinctions between positions classified at the AA 4-Sup level and the AA 5-Sup level are the scope and complexity of the programs supervised; the level and type of subordinate positions; and the organizational level to which the positions are assigned.

The Commission agrees with appellant that the technical consulting/policy analysis/program evaluation component of her position has increased in emphasis since she was first appointed to the AA 4-Sup position in 1985. However, the Commission does not agree that this increase supports the classification of appellant's position at the AA 5-Sup level.

Appellant's position performs line supervisory as well as technical consulting/policy analysis/program evaluation duties primarily for a single program encompassing the narrow specialty area of micrographics. Neither the scope nor the complexity of this program compares to that of the programs supervised by the Bong position. Not only does the Bong position supervise three distinct programs but the technical aspects of these programs are substantially more technically complex than the technical aspects of the program appellant's position supervises. There is also no comparison in terms of the level of subordinate positions supervised by appellant's position and the Bong position, i.e., the Bong position supervises 2 positions in pay range 13 (the pay range of appellant's AA 4-Sup position) and a position in pay range



14, whereas the highest level position supervised by appellant's position is a position in pay range 11.

Appellant's position is also not comparable for classification purposes to the Ledin position. Here again, the scope and complexity of appellant's position does not compare favorably to the Ledin position. Forms management/paperwork reduction is a significantly more inclusive and complex program area as well as an area that has been assigned a higher priority by the Legislature and the Public Records and Forms Board than the very narrow micrographics area. Nearly 100% of the Ledin's position's time is devoted to performing a technical consulting/policy analysis/program evaluation function for its assigned program area. In contrast, at most, 50% of appellant's position's time is devoted to performing this type of function for a narrower and less complex program area.

Appellant's position is well described by the AA 4-Sup classification specification language which states that "[t]his is line supervisory work in a . . . segment of a large state agency. Employees in this class have supervisory responsibilities over a large, moderately complex records processing . . . unit involving a variety of functions . . . and/or supervise and perform staff services in records . . . ." The Examples of Work Performed section of this specification also indicates that AA 4-Sup positions supervise and prepare administrative surveys and studies; develop and install operating procedures; make recommendations concerning policies, rules, and proposed legislation; and interpret laws, rules and departmental policies to employees and other governmental agencies, which is consistent with the classification of appellant's position at the AA 4-Sup level.

Appellant's position does not "direct an important function of the department" nor does this position provide staff services in a relatively broad management area within the meaning of the AA 5-Sup classification specifications.

The Commission concludes that respondent was correct in denying the subject reclassification request and that appellant's position is more appropriately classified at the AA 4-Sup level.

Order

The action of respondents is affirmed and this appeal is dismissed.

Dated: \_\_\_\_\_, 1993      STATE PERSONNEL COMMISSION

\_\_\_\_\_  
LAURIE R. McCALLUM, Chairperson

LRM:rcr

\_\_\_\_\_  
DONALD R. MURPHY, Commissioner

\_\_\_\_\_  
JUDY M. ROGERS, Commissioner

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