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ANNE MARIE ZIELESCH,  
 Appellant,

v.

Secretary, DEPARTMENT OF  
 EMPLOYMENT RELATIONS,  
 Respondent.

Case No. 96-0028-PC

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DECISION  
 AND  
 ORDER

A hearing was held in the above-noted case on June 20, 1996. The parties presented oral arguments at the end of the proceeding. The parties agreed that if Ms. Zielesch prevails on her appeal, the effective date of her reclassification request would be August 20, 1995. The hearing issue was agreed to by the parties as noted in the Conference Report dated April 23, 1996, as shown below:

Whether respondent's decision to deny appellant's request to reclassify her position from Financial Specialist 5 (FS-5), to Budget and Policy Analyst - Division - Senior (BPA-Div.-Sr.) was correct.

APPELLANT'S POSITION

Appellant's position is in the Golda Meir Library on the UW-Milwaukee campus. The position description (PD) submitted for the reclass request is dated November 15, 1995 (Exh. R-6). The bold type indicates the major changes claimed from her prior PD dated 5/16/93 (Exh. R-5, and Exh. A-12, p. 12-2). Appellant did not show that she performed all of the duties listed below, as explained in subsequent paragraphs.

Position Summary

Function as assistant to the Unit Business Representative and as **budget and policy analyst** for all departments and funding sources for the Golda Meir Library division of the University of Wisconsin-Milwaukee. Funding sources include GPO, PRO, Gift, FEE, FED, Trust, Sales Credits and Foundation Accounts. **Independently** formulate biennial and annual budgets; allot and monitor funding levels and positions authorized in the

legislative process; direct all budgeting and accounting functions; direct system development and budgeting and accounting policy and procedure development. Only a cursory review of tasks is performed by the Business Manager.

Function as monitor of the budgets for all funding sources related to the Library. Coordinate the activities of the Business Office staff as their work relates to accounting and budget control for the Library.

<u>Time %</u>	<u>Goals and Worker Activities</u>
30% (Was 20%)	<p>A. Develop, implement and monitor the biennial and annual operating budgets for the Library. Work directly with the UWM central Budget Office in the budget development and implementation. Analyze and formulate budget needs and requests for input into the biennial budget for funds listed above, as relates to special legislation, and Joint Committee on Finance decisions in accordance with formats, deadlines, and guidelines established by the Legislature, DOA, UW System, UWM and the Library. Interpret legislation; System, Campus, and Library policies and guidelines; and their intent, relating to funding and position authorization.</p> <p>A1. Develop financial data for use in compiling Library budget decision items. Conduct analysis of budgetary decision items for accuracy, feasibility, and continuity with Library goals and objectives as well as those of the Departments.</p> <p>A2. Consult with Department Heads and Library Administrative Group in determining budget needs for carrying out existing programs and establishing new or change programs in accordance with objectives and work plans.</p> <p>A3. Interpret Legislative, State, System, and Campus budget requirements and prepare guidance for management decision making. Implement and monitor budget policy decisions made by Campus and Library management to insure compliance. instruct and train library staff on budget policies and procedures as needed. Assist Unit Business Representative in the role as Library contact on budget matters.</p> <p>A4. Analyze and prepare budget proposals and projections for management decision making.<sup>1</sup></p>

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<sup>1</sup> Item A4 on the reclass PD did not represent new duties performed since the prior PD. Ms. Rasmussen testified that although such language was never in the prior PD, Ms. Zielesch has performed those duties since about 1983.

**A5. Work directly with UWM Budget Office in the development and preparation of budget workpapers, schedules, program summaries and the budget document forms.**

- 15%  
(was 20%)
- B. Allocate and monitor funding level and position level authorization in accordance with guidelines established by the Legislature, DOA, UW System, UWM, the Library and any other funding sources.
- B1. Through consultation with managers prepare all program data entry forms to establish allotment authorization as determined by passed and published legislation; including biennial budget bill, special legislation, and Joint Finance actions; federal and non-state grants, UW System, and UWM budget authority.
- B2. Review balance by budgetary line and expenditure categories. Allotment balance reports are prepared and reviewed on a monthly basis. Consult with the Business Manager on balances. Recommend modifications to assure budget solvency. Provide Library Business Manager with data for monthly meetings with the Library Director and Associate Director on budget status, policies, and strategies. Implement the policies and strategies.
- B3. Conduct training sessions as necessary for Library staff on the interpretation and use of monthly financial reports, accounting systems, budgetary processes and financial documents.
- 10%  
(was 15%)
- C. Consult with and advise Managers on funding level availability and position authorization as related to carrying out existing or implementing new programs according to legislative intent.
- C1. Reconcile program financial records, including position authorization, to passed and published legislation. Direct budget control of staff vacancies. Direct preparation of Personnel Action Forms.
- C2. Advise Library management staff in determining funding and expenditure levels by budget line.
- 20%  
(was 5%)
- D. Conduct program, organizational, policy, legislative, and fiscal analyses as required for the library.<sup>2</sup> Formulate special reports upon request

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<sup>2</sup> Although word changes appear in part D of the reclass PD, Ms. Rasmussen testified that no actual duties changed. In other words, such duties were

from Library Management staff and/or as deemed necessary, within the time frames required. Analyze, audit, and prepare cost reports for specific programs.

- D1. Analyze programs and organizational proposals for budget and fiscal implications.
- D2. Analyze library, campus, state, and federal policy changes for budget and fiscal impact on library.
- D3. Develop specific financial and analytical reports including revenue projections for management personnel when requested and/or as deemed necessary.
- D4. Direct the research and compilation of data for detailed budget analysis on salary, supply and expense, capital and various financial statements as needed during the course of the fiscal year.
- D5. Direct the development of systems, policies, procedures, research and compilation of financial data for special inventory reports, cost analysis, audits, studies involving planning and/or reorganization of functions, and special projects.
- D6. Provide independent audits of specific programs.
- D7. Consult with legislative, System, and Internal Audit personnel in their audits of Library programs as required.

5%

- E. Develop and coordinate improved systems for the collection and dissemination of financial information.
  - E1. In cooperation with the Library Business Manager, implement systems improvements suggested or required by Internal, State and Federal auditors.
  - E2. Analyze current accounting systems and procedures to determine weakness and duplication of effort. Direct the development, standardization and maintenance of accounting, budget status and financial management reports for use by Library management for decision making.
  - E3. Develop and coordinate implementation of improved procedures and systems to assure the fiscal integrity of the Library's accounting and budget control.

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expected of appellant's position even under the prior PD. According to Ms. Rasmussen, the only changes regarding section D, were the change in time percent and the increased degree of independence expected.

- 10%  
(was 25%)
- F. Act as financial controller for all funding sources related to the Library.
- F1. Direct accounting staff in the preparation, processing, reconciliation, monitoring and analysis of cash transfers, budget transfers, travel expense reports, external and internal requisitions, and accompanying supportive documents for Library departments on all fund and expenditure levels. Direct acquisition of supply and expense and capital equipment for the Library.
- F2. Monitor all of the Library's accounts to assure proper accounting, reporting and budget control. Direct the reconciliation of monthly Accounting Control Ledgers: Salaries (permanent and provisional), Supply and Expense and Capital accounts for all funds. Direct the correction/adjustment of discrepancies. Serve as liaison with Business and Financial Services offices. Assist Library accounting staff with reconciliation problems as needed. Direct the maintenance of statistical tracking of expenditures by major class, Department, and Fund.
- F3. Advise and assist the Library's managers on appropriate budget and accounting procedures, recommending best methods to resolve fiscal problems.
- F4. Coordinate the activities of the Business Office staff as their work relates to the various funding sources and programs in the Library. Direct their activities in the establishment of accounts for various funds and programs; monitoring of the accounts; identifying and reconciling accounting discrepancies and/or budget problems.
- F5. Review federal grant documents for fiscal propriety. Monitor grant cost reports and other related accounting system cost information on a continuous basis. Compare grant expenditure levels to grant allotment authorization to determine solvency. Identify budgetary problems as they relate to grant allotment authorization. Notify and make recommendations to grant managers and federal aid coordinators to modify spending patterns or amend grants to ensure that grants are earned.
- 5%
- G. Conduct fiscal analyses as needed by the Library to formulate budget policies and procedures.

Function as Senior analyst. (Used to say:  
"Function as Senior Analyst".)

- G1. Coordinate the financial analysis and reporting of Library programs/projects and formulate uniform operating procedures for use by other Business Office staff. Provide training and support for new Business Office staff.
- G2. Function as Coordinator for the Library's accounting process. Initiate and monitor the process. Act as liaison with department supervisors in interpretation of reports that are by-products of the accounting process.
- G3. Participate in Library staff meetings, administrative budget meetings, planning meetings, and any type of budget exercise regarding Library salaries, general operating budgets, and capital needs, as required.

5%

H. Assist in the business management of the Library.

- H1. Attend Budget and Financial Services and other campus meetings as liaison for the Library as directed by the Business Manager. Serve as liaison with other University (UWM and System) departments as required. Negotiate with vendors when necessary on issues of product availability and quality, service and maintenance.
- H2. Participate in special projects and direct the activities related to meeting Business office and Library's goals as assigned by the Business manager.
- H3. Maintain a working knowledge and understanding of equal opportunity/affirmative action policies and procedures, unclassified and classified state policies, rules, regulations and procedures relating to payroll and personnel accounting.

Appellant is supervised by Anna Rasmussen, the Library's business manager, who is responsible for the duties summarized below. (See Exh. A-1, p.1-9, par. 5.)

Assist the Director in budget preparation, development of annual planning document and long range library fiscal planning (15%). Manage and supervise the library budget control and accounting, including development, interpretation, analysis, projection, and implementation of policies and procedures as required by legislation, UW System, and UW-Milwaukee administration; manage the development and implementation of

all financial reports, including financial analysis to make management decisions and/or provide the Director and other library administrators with decision-making data; prepare the library position documents as required for budget decision item narratives and other specific budget requests; and analyze the impact and recommend policies and procedures for administration of unique budget legislation and/or requirements (50%). Supervise and coordinate the library's personnel budgeting and accounting; interpret, develop and implement salary policies and adjustments, contract administration procedures, and records development and maintenance; manage and supervise the secretarial support, data input staff for Technical Services, Collection Management, Automation and the Business Office (25%). Serve on various library and university committees (10%).

The duties and responsibilities of appellant's position are overstated in her PD in at least three significant ways. First, the language of appellant's PD incorrectly suggests a higher level of responsibility for the development, implementation and monitoring of the Library's budgets than the role played by her supervisor's position. Second, appellant's position does not participate in management decision making regarding the allocation of funds (contrary to the suggested role in s. B of her PD). Third, appellant's position does not conduct program, organizational, policy or legislative analyses (contrary to the language used in s. D of her PD). Rather, it is Ms. Rasmussen (appellant's supervisor) who participates as part of the management team which studies programs, organizational and legislative proposals and which then asks appellant to provide an analysis of the fiscal impact. At times, appellant's fiscal analysis leads her to suggest a new alternative to Ms. Rasmussen, which Ms. Rasmussen could pass on to the management decision-making group. Such unassigned suggestion capacity, however, is not unique to appellant's position.

Exh. A-10, pp. 1-21; provides examples of the monthly updates on budget matters which appellant's position produces. The budget figures may show shortfalls in certain spending categories. However, it is Ms. Rasmussen and the Library directors who meet and make decisions on how to account for shortfalls.

BPA-Div. CLASS SPEC

The Budget and Policy Analyst - Division Class Spec (BPA-Div. Class Spec) has an effective date of June 26, 1994. (Exh. R-3) Three classification levels are defined therein including (from lowest to highest) "entry", "senior" and "advanced". Relevant portions of the BPA-Div. Class Spec are shown below:

Purpose of This Classification Specification

This classification specification is the basic authority . . . for making classification decisions relative to present and future professional positions located within a division, institution, or campus which perform budget and policy analysis duties for an assigned division, institution, or campus. This classification specification will not specifically identify every eventuality or combination of duties and responsibilities of positions that currently exist, or those that result from changing program emphasis in the future. Rather, it is designed to serve as a framework for classification decision-making in this occupational area.

Inclusions

This series encompasses professional positions located within a division, institution, or campus which perform budget and policy analysis duties for an assigned division, institution, or campus. Positions allocated to this series develop and monitor the assigned division's, institution's, or campus's biennial and annual operating budgets; work with the agency's central budget office in budget development and implementation activities; and conduct program, organizational, policy, legislative and fiscal analyses.

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BUDGET AND POLICY ANALYST - DIVISION - SENIOR

Positions allocated to this level are located within an agency division, institution, or campus and develop and monitor the biennial and annual operating budgets for an assigned division, institution, or campus; work with the agency's central budget office in budget development and implementation activities; conduct program, organizational, policy, legislative, and fiscal analyses. Work is performed under general supervision.

The BPA-Div. Class Spec was written by DER Personnel Specialist, Wil Tomer, as part of her survey coordinator role. The language in the "inclusions" section references positions located within "a division,



institution, or campus". She intended by the term "division" to mean a division within an "agency", such as the Division of Care and Treatment Facilities within the Department of Health and Social Services. Her testimony is supported by the level definitions in the BPA-Div. Class Spec, which defines the senior level, for example, as including positions "located within an agency division, institution, or campus" (emphasis added). Ms. Tomer did not intend by use of the word "division" to include positions at the Golda Meir Library. Nor could the UW-Milwaukee campus be considered as an "agency", when the Class Spec makes an explicit distinction between an "agency division" and a "campus".

Even if appellant's position were not excluded from the BPA- Div. Class Spec for reasons noted in the prior paragraph, her position still would not be entitled to classification at the BPA-Div.-Sr. level because she does not conduct program analysis, organizational analysis, policy analysis or legislative analysis as explicitly required in the "Inclusions" section and repeated in the senior level definition.

#### FS CLASS SPEC

The Class Spec for Financial Specialist (FS Class Spec) has a revision effective date of "April 17, 1994". (Exh. R-2) The FS Class Spec contains 5 classification levels ranging from FS-1 (lowest) to FS-5 (highest). Pertinent excerpts are noted below:

##### Purpose of This Classification Specification

This classification specification is the basic authority . . . for making classification decisions relative to present and future positions which perform accounting, bookkeeping, and auditing duties of routine or limited complexity. These positions do not require extensive knowledge of accounting or auditing theory, but do require a level of formal training or related experience. Positions allocated to this series audit, code and process vouchers, invoices and other financial documents; receive, document and deposit monies received by an organization; participate in the development and maintenance of automated accounts payable, accounts receivable and other financial systems; prepare and process grant and contract expenditure reports and records; compile financial data for journal entries; reconcile accounts; and produce reports. This classification specification will not specifically identify every eventuality or combination of duties and responsibilities that currently exist, or those that result from changing program emphasis in the future. Rather, it is designed

to serve as a framework for classification decision-making in this occupation area.

### Inclusions

This series encompasses positions which perform accounting, bookkeeping and auditing duties of routine or limited complexity which do not require extensive knowledge of accounting or auditing theory. Positions allocated to this series audit, code and process vouchers, invoices and other financial documents; receive, document and deposit monies received by an organization; participate in the development and maintenance of automated accounts payable, accounts receivable and other financial systems; prepare and process grant and contract expenditure reports and records; compile financial data for journal entries; reconcile accounts; and produce reports.

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### **FINANCIAL SPECIALIST 5**

This is advanced level for positions performing accounting, preauditing, bookkeeping and auditing duties of the highest level of complexity which do not require knowledge of professional accounting or auditing theory. This is evidenced by applying accounting/auditing methods and techniques to new or volatile programs, interpreting applicable rules and regulations for operational enhancements and changes, or by having a large number of applicable rules and regulations to apply. Positions at this level participate in the development and maintenance of, or audit of automated financial recordkeeping systems, fixed asset, accounts payable, accounts receivable, and/or preaudit functions for a broad and complex variety of specialized programs which require knowledge of those programs' financial rules and regulations. Positions at this level function very independently with significant authority and control over the function they perform. Positions may have frequent contacts with individuals outside the organization, administer/manage large specialized volatile accounts and play a lead role in incorporating and integrating new laws and mandates in the system. Positions at this level may function as leadworkers and may prepare, process, maintain and analyze, and present or assist in the presentation of the financial records for the broadest variety of grants and contracts expenditure reports. Positions advise, train and provide procedural assistance to various levels of users about the financial system.

Positions at this level differ from those at the lower Financial Specialist levels in that these positions require knowledge of the financial rules and regulations for the broadest variety of funding sources, cost distribution patterns, and specialized programs which provide guidelines in addition to those established by the State of Wisconsin Department of

Administration, State Bureau of Finance; review critical data, analyze and present data to management and make recommendations for improving the operation; reference a larger volume and number of non-routine specialized preaudit programs; and are responsible for the greater degree of decentralization of fiscal transactions within the agency to its divisions, institutions, or campuses. Work is performed under general supervision and positions at this level have responsibility for the conduct and results of the assigned program/functions. Contacts are often outside the organization and reporting is to a high level technical person or section level. Impact of the errors may be beyond the programs or divisions for which the position is responsible, i.e., department, campus, institution wide or outside the department, campus or institution when function as a processing center.

#### Positions Offered for Comparison

The parties offered the Helt PD (Exh. R-10) and the Thomas PD (Exhs. A-13 & R-9) for comparison. Both positions are classified as Budget and Policy Analyst - Agency - Seniors (BPA-Ag.-Sr.), which is a classification with a separate Class Spec (Exh. R-4). The Thomas position is located at the UW-Milwaukee campus, and the Helt position at the UW-Madison campus. Both positions perform duties which could be characterized (at least in part) as *similar to duties performed by appellant*. However, *appellant performs such duties for the Library*; whereas the Thomas and Helt positions are located in the central budget office of their respective campus and perform such duties for the entire campus. While these two campus positions would not be considered as "agency" positions under normal classification terminology, special language exists in the BPA-Ag. Class Spec to include these positions which DER felt were comparable to included agency positions due to the campus-wide responsibilities.<sup>3</sup>

The Knapp PD (Exh. R-13) describes a central budget office position at the UW-Stevens Point campus with stated campus-wide responsibilities. This position is classified at the BPA-Div.-Sr. level. While the position meets the introductory language of the BPA-Div.-Sr. definition as being located on a campus with campus-wide budget responsibilities, the PD does not indicate that

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<sup>3</sup> The BPA-Ag. Class Spec has a definition of the senior level which includes the following sentence: "Positions which perform budget duties for a major operating campus such as UW Madison or UW Milwaukee would be included in this classification series."

the position is involved with program, organizational, policy or legislative analyses. On this record, the Knapp position appears to be incorrectly classified.

The Eikamp PD (Exh. R-14) describes a central budget office position at the UW-Stout campus with stated campus-wide responsibilities. This position is classified at the BPA-Div.-Sr. level. While this position may have some policy analysis duties relating to rate setting (5% - s. D of PD), the PD does not indicate that the position performs program, organizational or legislative analyses. On this record, the Eikamp PD appears to be incorrectly classified.

#### DISCUSSION

The appellant in a reclassification appeal must show that the position underwent a logical and gradual change (s. ER 3.01 (3), Wis. Adm. Code) which resulted in the majority of the position's time spent at the higher classification level. Ghilardi & Ludwig v. DER, 87-0026, 0027-PC (4/14/88); Tiser v. DNR & DER, 83-0217-PC (10/10/84); Fonte v. UW & DP, 82-131-PC (4/15/83); Bender v. DOA & DP, 80-210-PC (7/1/81); and Austin, et al. v. DER, 90-0285-PC (10/31/91).

Appellant's position underwent some logical and gradual changes based mainly on her ability to perform duties independently, with little-to-no oversight from her supervisor, Ms. Rasmussen. The nature of the duties themselves underwent little change. The time percentage spent on duties changed somewhat. (See Findings of Fact, pars. 1, 3 and 4.)

Appellant's position is not responsible for the required functions at the BPA-Div.-Sr. level of conducting "program, organizational, policy, legislative, and fiscal analyses" (emphasis added). The only type of analysis performed by appellant's position is fiscal analysis. Accordingly, she cannot show that the majority of her positions' time is spent performing the required duties at the BPA-Div.-Sr. level.

This record indicates that the Eikamp and Knapp positions are classified at the BPA-Div.-Sr. level. Like appellant's position, the Eikamp and Knapp positions do not perform all required types of analyses found in the Senior definition. (See Findings of Fact, pars. 10 and 11). The error in the apparent misclassification of those positions will not be compounded by the Commission endorsing the misclassification of appellant's position. See, McCord v. DER, 85-

0147-PC (3/13/86); Danielski, et al. v. DER, 85-0196-PC (9/17/86); Augustine & Brown v. DATCP & DER, 84-0036, 0037-PC (9/12/84) and Lulling & Arneson v. DER, 88-0136, 0137-PC (9/13/89).

The Commission realizes that appellant's position performs budget analyses for specific contemplated program changes (for example) and that duties of this ilk are not emphasized in the FS Class Spec. Such duties, however, are contemplated within the FS-5 definition as shown by the following excerpts:

Positions may . . . play a lead role in incorporating and integrating new laws and mandates in the system. Positions at this level may . . . prepare, process, maintain and analyze and present . . . the financial records for the broadest variety of grants and contracts expenditure reports. . .

Positions at this level differ from those at the lower Financial Specialist levels in that these positions . . . review critical data, analyze and present data to management and make recommendations for improving the operation . . .

Budget analysis is contemplated even at the FS-4 level as shown by the UW Madison General Library System Financial Specialist representative position which includes responsibility for "budget analysis reports (salaries, supply and expense, and capital)".

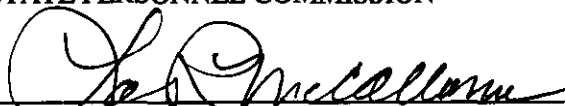
It was contended in closing argument on appellant's behalf that there should be a better classification for positions like appellant's which perform budget analysis work in addition to the types of duties emphasized in the FS Class Spec. Even if this were true, the situation could not be remedied by the Commission based on a classification appeal. The Commission's jurisdiction is limited by statute and does not include the authority to direct DER to develop new Class Specs or to rewrite existing Class Specs. In accord, Zhe, et al. v. DHSS & DP, 80-285, 286, 292, 296-PC (11/18/81); aff'd by Dane County Circuit Court Zhe, et al. v. Pers. Comm., 81-CV-6492 (11/82).


ORDER

The respondent's decision denying appellant's request for position reclassification to the BPA-Div.-Sr. level is affirmed and this appeal is dismissed.

Dated August 30, 1996.

STATE PERSONNEL COMMISSION

  
LAURIE R. McCALLUM, Chairperson

  
JUDY M. ROGERS, 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 (except an order arising from an arbitration conducted pursuant to §230.44(4)(bm), Wis. Stats.) 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.

2/3/95