

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

SUSAN BALLWEG, Appellant,

vs.

STATE OF WISCONSIN, UNIVERSITY OF WISCONSIN SYSTEM, Respondent.

Case ID: 3.0016

Case Type: PA

DECISION NO. 36122

ORDER ADOPTING ARBITRATOR'S DECISION

The above matter, arising from Respondent's decision to reallocate the Appellant's position to Financial Specialist – Senior rather than to Financial Specialist – Advanced was the subject of an arbitration proceeding on November 11, 2015, pursuant to § 230.44(4)(bm), Stats. At the conclusion of the proceeding, the arbitrator orally rendered a decision upholding the Respondent's decision. The decision of the arbitrator stands as the decision of the Commission.

Signed at the City of Madison, Wisconsin, this 13th day of November 2015.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Scott, Chairman

Rodney G. Pasch, Commissioner

James J. Daley, Commissioner

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STATE OF WISCONSIN, UNIVERSITY OF WISCONSIN SYSTEM, Respondent.

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NOTIFICATION OF ARBITRATOR'S DECISION

On November 11, 2015, I served as the arbitrator in the above matter. At the conclusion of the arbitration, I rendered an oral decision. I concluded that Appellant Susan Ballweg did not meet her burden of proving by a preponderance of the evidence that her position should be reallocated to that of Financial Specialist – Advanced.

Ballweg elected for this matter to be heard by arbitration. The parties agreed the following issue was before the arbitrator:

Was the Respondent's decision to reallocate the Appellant's position to Financial Specialist – Senior rather than to Financial Specialist – Advanced correct, and, if not, should the Appellant's position be reclassified to Financial Specialist – Advanced?

Notwithstanding that framing of the issue, to prevail in this matter it is Ballweg's burden to demonstrate that her duties are a "best fit" at the Financial Specialist – Advanced classification. *Peterson v. Dept. of Admin.*, Dec. No. 32814-A (WERC, 9/2009), citing *Jackson v. State Pers. Bd.*, Dane County Circuit Court, 164-086, 2/26/79. "Best fit" is determined by finding that a majority (more than 50 percent) of duties of a position are performed at a level comparable to one of the classifications within the series. It is not sufficient for Ballweg to only show that her position is not appropriately classified at the Financial Specialist – Senior level. *Peterson v. Dept. of Admin.*, Dec. No. 32814-A (WERC, 9/2009), citing *Svenssen v. Dept. of Employment Relations*, Case No. 86-0136-PC (Pers. Comm. 7/22/87).

Based upon the record created in this matter, I found that the majority, more than 50 percent, of Ballweg's duties are performed at a level comparable for a Financial Specialist - Senior. The significant majority of the duties performed by Ballweg are routine,

semi-routine, and complex duties involving accounts receivable and billing. This includes journal entry creation, funding code determination, report generation, review and reconciliation, auditing, deposits, and error correction. Defined processes exist for this work and Ballweg performs her duties within those processes. While Ballweg was involved in the development of those processes in the past, she does not have a policy role in their application. Much of Ballweg's work is difficult at times and requires significant attention to detail, research for additional information, and the application of statutes, rules, and policies. The duties, however, do not require significant independent judgment, the application of multiple diverse rules / regulations, the creation of ad-hoc reports, or involve various financial systems, which would characterize duties performed at the Financial Specialist – Advanced level.

Ballweg's position should not be reallocated to the position of Financial Specialist - Advanced.

Dated at the City of Madison, Wisconsin, this 13th day of November 2015.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Karl R. Hanson, Arbitrator