

STATE OF WISCONSIN

BEFORE THE STATE BOARD OF PERSONNEL

_____)
William J. Cronkrite,)
Appellant,))
vs))
C. K. Wettengel, Director))
State Bureau of Personnel,))
Respondent))

ORDER

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The State Board of Personnel having heard this matter and issued its findings of fact and conclusions of law, makes the following order:

1. It is ordered that the initial allocation of the appellant's position from Engineer Technician 3 to Photographer 3 is a valid exercise of the respondent's discretion and is substantiated by the evidence herein presented and is sustained.

2. The subsequent reallocation from Photographer 3 to Engineer Technician 3 is at the request of and benefit to the best interests of the appellant and is likewise a valid exercise of the respondent's discretion and is sustained.

3. The appellant's appeal from the initial reallocation of his position is hereby rejected and dismissed on its merits with prejudice and the director's initial reallocation and his subsequent reallocation is hereby ordered sustained and affirmed.

Dated at Madison, Wisconsin

This 28th day of July, 1972

STATE BOARD OF PERSONNEL

BY: William J. Cronkrite

Chairman

STATE OF WISCONSIN

BEFORE THE STATE BOARD OF PERSONNEL

William J. Cronkrite,)	
)	FINDINGS OF FACT
vs.)	
)	AND
C. K. Wettengel, Director)	
State Bureau of Personnel,)	CONCLUSIONS OF LAW
)	
Respondent.))	

#496

This matter was heard by the State Board of Personnel in Madison, Wisconsin, on July 19, 1972; the appellant having appeared personally, and the respondent having appeared personally and by his attorney D. J. Sterlinske; and the Board having considered all of the evidence introduced at such hearing together with a review of the transcript of such hearing, makes the following:

FINDINGS OF FACT

1. That William J. Cronkrite is employed by the Department of Transportation, Division of Highways, as an Engineer Technician 3 (SR 1-10)
2. That on April 7, 1972, the respondent, as Director of the Bureau of Personnel, received a reclassification request for a reclassification of the appellant's position from Engineer Technician 3 (SR 1-10) to Engineer Technician 4 (SR 1-11), with the proposed effective date of April 30, 1972. As a part of such reclassification request, the appellant's position duties were described as an aerial photographer, engaged in the production of topographic maps and aerial cross sections.

3. Upon receipt of this request, a position audit was performed by a staff analyst and the determination made to reallocate the appellant's position laterally, to Photographer 3, (SR 1-10). A letter of explanation and justification for this decision was forwarded to the Department's Personnel office on May 11, 1972.

4. The appellant, by letter of May 19, 1972, timely appealed this reallocation action to the Personnel Board, on the basis that class specifications for Photographer 3 did not adequately reflect the appellant's duties. Prior to hearing, on request of the Department of Transportation's Personnel office, the respondent laterally reallocated the appellant's position from Photographer 3 (SR 1-10) to Engineer Technician (SR 1-10) (his former classification) for the purpose of restoring the hazardous duty employment benefits available to this classification under the provisions of section 16.31 of the Wisconsin Statutes.

5. The position duties as admittedly performed by the appellant were best described by the Photographer 3 specifications and adequate justification exists for such reallocation.

6. The subsequent return and lateral reallocation, by the respondent, of the appellant's position to the Engineer Technician 3 classification, is likewise justifiable as a proper exercise of the respondent's discretion as such an action permits the appellant to retain benefits for hazardous duties performed during the course of his employment. The appellant's basic objection to the denial to his request for reallocation was that he felt that the hazardous phases of his employ-

ment warranted additional compensation.

The Board having made the above findings now enters the following

CONCLUSIONS OF LAW

1. The initial allocation of the appellants position from Engineer Technician 3 to Photographer 3 is a valid exercise of his discretion and substantiated by the evidence herein presented.

2. That the subsequent reallocation from Photographer 3 to Engineer Technician 3 is at the request of and of benefit to the best interests of the appellant and is likewise a valid exercise of the respondent's discretion.

3. The appellant's appeal from the initial reallocation of his position is hereby rejected and dismissed on its merits with prejudice, and the director's initial reallocation and his subsequent reallocation is hereby ordered sustained and affirmed.

Dated at Madison, Wisconsin

This 28th day of July, 1972.

STATE BOARD OF PERSONNEL, BY:



CHAIRMAN