

STATE OF WISCONSIN

STATE PERSONNEL BOARD

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 *
 ROBERT MAYVILLE, *
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 Appellant, *
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 v. *
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 DEPUTY DIRECTOR, Bureau of *
 Personnel, *
 *
 Respondent. *
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 Case No. 75-76 *
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OFFICIAL

OPINION AND ORDER

Before: James R. Morgan, Calvin Hessert and Dana Warren, Board Members.

NATURE OF THE CASE

This is an appeal, pursuant to Wis. Stats. § 16.05(1)(f), of the Director's denial of a reclassification request.

FINDINGS OF FACT

1. The appellant is employed as an Administrative Assistant II (AA II) in the Bureau of Facilities Management of the Department of Administration.
2. The appellant's duties and responsibilities include the following:
 - a. He handles inquiries from both the private and public sectors regarding the availability of plans and specifications for various state building projects that are, or will be, open for bidding. He also deals with some inquiries regarding bidding schedules and plan contents.
 - b. He makes the plans and specifications available to interested parties and secures a deposit check from them when necessary.
 - c. He maintains a register detailing the disbursement of the documents and the receipt of deposit checks. This register is then reviewed periodically and the appellant secures the return of the documents upon the completion of the bidding process. Deposit checks are returned at this time.

- d. The appellant estimates the number of copies of the plans and specifications that will be necessary, places orders for the duplication of these documents, and monitors the number of them given out for each project.
- e. The appellant maintains a register identifying drawings that are to be updated and returned upon the completion of a project. He then secures these drawings at the proper time and has them microfilmed and filed.
- f. He maintains a microfilm reference file for plans and specifications. As part of this function, the appellant operates a microfilm reader-printer.
- g. He regulates the operation of a white-printer which is used to duplicate plans.
- h. The appellant supervises three clerical employes who work with the microfilm card file, the white-print machine, and the outgoing and incoming parcel post shipments.
- i. Various other files are maintained.
- j. He aids in the development of new work procedures in his work area.

3. The appellant requested that he be reclassified as an Administrative Assistant III (AA III).

4. The respondent denied the appellant's reclassification request after conducting an on site job audit, reviewing the appropriate position standards, and comparing the appellant's position with other positions in a variety of classes. A second review of the classification question was also conducted at a later date.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this appeal pursuant to Wis. Stats. § 16.05(1)(f).

2. The standard of judgment is the correctness of the Director's action.

Ryczek v. Wettengel, 73-26, 7/24/74.

3. The burden of proof is on the appellant to show to a reasonable certainty, by the greater weight of the credible evidence, that he should be reclassified in the manner he alleges and that the Director is thus incorrect in refusing to so reclassify him.

Reinke v. Personnel Board, 53 Wis. 2d. 123 (1971).

Alderden v. Wettengel, 73-87, 6/2/75.

Ryczek v. Wettengel, 73-26, 7/2/74.

4. The appellant has failed to carry this burden. The action of the Director must be considered to be correct.

OPINION

The appellant has failed to carry his burden of showing that he should be reclassified as an AA III. It is true, as the appellant asserts, that he functions with a great deal of independence in a wide variety of duties and responsibilities. However, a comparison of these duties and responsibilities with those designated on the AA II and AA III position standards shows that the current AA II classification of his position is proper. A further comparison with other positions in various classes also supports this conclusion.

The comparison of the appellant's position with the AA II position standards shows a sufficient level of correlation between his position and the standards to justify classification at that level. For example, the standard is descriptive of the appellant's position when it states in general terms that "positions allocated to this level perform highly responsible administrative and supervisory

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work." Furthermore, it is descriptive of the appellant's specific duties and responsibilities when it lists detailed classification factors such as extensive contact with other governmental units or the general public in an informative capacity regarding a variety of complex matters, supervision of a staff of subordinates engaged in specialized clerical operations, use of independent judgment and highly specialized knowledge in the development and revision of program procedures, and a thorough knowledge of how the unit's programs relate to and affect the operation of related programs carried out by other governmental units.

In contrast, a comparison of the appellant's position with the AA III position standard does not show the same level of correlation. The basic definition of the class level does not reflect the appellant's position when it refers to "administrative work of more than ordinary difficulty and responsibility." While the appellant does perform the type of responsible work on a variety of matters that is described in the AA II standard, he does not perform duties that are unusually difficult in nature nor does he have an extraordinary amount of responsibility. Furthermore, the listing of examples of work performed at this level is not as descriptive of the appellant's position as are the examples listed in the AA II standard. For example, the appellant does not perform the listed duties of maintaining budget records, conducting hearings, supervising any significant amount of account keeping, reviewing and analyzing reports of assistants or field staff, drafting orders, acting as a technical consultant in a specialized field, supervising special surveys and studies, making recommendations concerning proposed legislation, or keeping the director and assistants advised of legislation, legal opinions, court decisions, and legal precedents.

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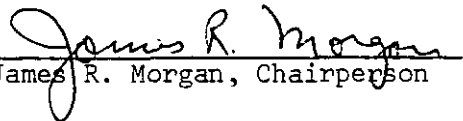
From this comparison of the appellant's position with the appropriate position standards, it is apparent that he should not be reclassified to the AA III level. An additional review of various AA II and AA III positions only reinforces this conclusion. Thus, the Board must conclude that the appellant has failed to show both that he should be reclassified to the AA III level and that the Director was incorrect in refusing to reclassify him to that level. The Director's reclassification action must be deemed proper.

ORDER

IT IS HEREBY ORDERED that the action of the Director is affirmed and that this appeal is dismissed.

Dated: May 18, 1978

STATE PERSONNEL BOARD


James R. Morgan, Chairperson