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CAROL A. LOWE,

Appellant,

v.

Administrator, DIVISION OF
PERSONNEL,

Respondent.

Case No. 79-PC-CS-591

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DECISION
AND
ORDER

As the result of a clerical survey by the Division of Personnel, Department of Employment Relations, appellant Carol A. Lowe was classified as a Secretary 1 - Confidential. She appealed that allocation to the Personnel Commission alleging that her position should have been allocated to Program Assistant 4. The following findings, conclusions and decision are made after holding a hearing, receiving briefs and reviewing the evidence presented.

FINDINGS OF FACT

1. At all times relevant to this appeal, the appellant was employed by the Department of Health and Social Services at Northern Wisconsin Center, Chippewa Falls, Wisconsin, in a permanent state classified civil service position. She worked in the Care and Treatment section as secretary to the director of that unit.

2. Northern Wisconsin Center is an intermediate care facility for the developmentally disabled. It has a staff of approximately 1,100 and nearly 700 residents. The center is organized into five sections: Care and Treatment with 650 employes and 700 residents; Management Services, consisting of 650 employes; Medical Services, Special Services and Community and Social Services with the remaining 150 employes. The Care and Treatment section is composed of seven units.

3. In September 1979, the respondent notified the appellant that her position was reallocated from Administrative Secretary 1 - Confidential to Program Assistant 1 - Confidential, effective August 26, 1979. On the same day, the appellant appealed the reallocation to the Commission. Appellant's appeal was received by the Commission five days later. As a consequence, the respondent reviewed their previous allocation of the appellant's position and changed it to Secretary 1 - Confidential.

4. The appellant works in the administration building of Northern Wisconsin Center. She shares an office with the center director's secretary. The office accesses to the office of the director and appellant's supervisor and has four telephone extension lines which can be answered by the appellant or her co-employee.

5. The appellant spends thirty-five to forty percent of her time coordinating information that her supervisor, the director of the Care and Treatment section, needs to manage that section. This consists of collecting, collating, compiling, assessing and reviewing data from a variety of sources; preparing reports from that information and communicating such information. Approximately ten percent of appellant's time is spent making program decisions related to the procedures, processing and activities in the office. The appellant spends over fifty percent of her time producing typed copy from meeting minutes and dictation, substituting for the center director's secretary, preparing reports and communications, preparing committee recommendations, serving as a member on various center committees and developing and maintaining files.

6. The class definitions for Program Assistant 4 - Confidential and Secretary 1 - Confidential provide:

PROGRAM ASSISTANT 4 - CONFIDENTIAL

(PR1-09)

This is paraprofessional staff support work of considerable difficulty as an assistant to the head of a major program function or organization activity. Positions allocated to this class are coordinative and administrative in nature. Positions typically exercise a significant degree of independence and latitude for decision making and may also function as leadworkers. Positions at this level are differentiated from lower-level Program Assistants on the basis of the size and scope of the program involved, the independence of action, degree of involvement and impact of decisions and judgment required by the position. Work is performed under direction.

SECRETARY 1 - CONFIDENTIAL

(PR1-07)

This is office assistance work of moderate difficulty in providing personal secretarial services to a professional, educator, or administrator. Positions allocated to this class perform a variety of secretarial duties, including: taking, transcribing and typing dictation; making arrangements for meetings or travel; screening and distributing mail; drafting general correspondence; filing and developing filing systems; operating a variety of office equipment; taking minutes at meetings; maintaining simple financial records; ordering supplies and equipment; composing correspondence; and keeping time reports a majority of the time. Work is performed under general supervision.

7. The position held by the appellant was classified the same as other positions in DHSS centers and institutes carrying secretarial and administrative tasks which were directly responsible to the directors of major program units.

8. Some of the appellant's duties fall within the description of a Program Assistant 4 - Confidential, but not to the extent or complexity necessary for classification in that series at that level. The appellant's position is more appropriately classified as Secretary 1 - Confidential.

CONCLUSIONS OF LAW

1. This appeal is properly before the Commission pursuant to §230.44(1)(a), Wis. Stats.
2. The burden is on appellant to show by a greater weight of credible evidence that the decision of the Administrator to reallocate her positions to Secretary 1 - Confidential, was incorrect.
3. Appellant has failed to carry her burden of persuasion.
4. The decision of the Administrator to reallocate appellant's position to Secretary 1 - Confidential was correct.

OPINION

The appellant argued that her job should have been allocated to the Program Assistant 4 - Confidential level. The rationale used was to compare examples of her work with examples of work noted in the position standard for Program Assistant 4 - Confidential positions.

Examination of appellant's assertions causes the Commission to come to a different conclusion. While the appellant presented twenty exhibits of examples of her work reputed to be at the Program Assistant 4 - Confidential level, her testimony on such exhibits was not persuasive. In most cases, appellant's testimony on how she planned, assigned and guided activities in the unit, instead demonstrated that her role in such instances involved partial functions, usually clerical, lacking significant impact upon the clinical or administrative programs of the unit.

In light of the thrust of appellant's argument, it seems advisable to emphasize the value of listing examples of work in a position standard. As testified, work examples are not used as the basis for classification because many positions, regardless of series lines, may entail similar tasks. It is the role the tasks play in the overall function of the position which

establishes the difference between classifications. In the instant case, appellant's tasks do not support allocation to the program assistant series. While some of appellant's duties, when viewed in isolation, may be considered program functions, they were performed in connection with a non-program activity.

In summary, the Commission finds and concludes that the appellant has failed to demonstrate that her present classification is incorrect and that she should be classified a Program Assistant 4 - Confidential.

ORDER

The decision of the Administrator to reallocate the position held by the appellant to Secretary 1 - Confidential is hereby affirmed, and appellant's appeal is dismissed.

Dated: September 30, 1982 STATE PERSONNEL COMMISSION

DRM:jmf

Parties:

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