

STATE OF WISCONSIN

PERSONNEL COMMISSION

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GORDON N. SCHMITZ,

Appellant,

v.

Administrator, DIVISION OF
PERSONNEL,

Respondent.

Case No. 79-PC-CS-767

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DECISION
AND
ORDER

NATURE OF THE CASE

This is an appeal pursuant to §230.44(1)(a), Wis. Stats., of a reallocation.

FINDINGS OF FACT

1. The appellant, at all times relevant, has been employed in the classified service at the Hill Farms Copy Center, Department of Administration.
2. Effective August 26, 1979, the appellant's position was reallocated from Office Machine Operator 3 to Clerical Assistant 2.
3. Approximately 70% of appellant's work involves the operation of automatic, semi-automatic, or manual copy machines and systems, collators, master makers, stitches, cutters, and drills on a production basis.
4. Although appellant on occasion performs work in the operation, adjustment, and maintenance of an offset press, primarily in the absence of the lead worker in the shop, this activity occupies a small percentage of his time and substantially less than 50%.
5. The position standard for the Clerical Assistant Classifications contains the following in the "definition":

"This is lead and/or advanced clerical work of moderate difficulty in completing a variety of assigned clerical tasks consistent with established policies and procedures." Respondent's Exhibit B-3.

6. The position standard for the Clerical Assistant classifications includes the following under "Inclusions":

"This series encompasses general clerical positions performing a wide range and combination of activities, such as filing, sorting, posting, tabulating, operating, duplicating, and other types of office machine operations of a similar level and kind." Respondent's Exhibit B-1.

7. The class specifications for the Offset Press Operator I classification contain the following under the "definition":

"This is routing technical offset printing press operation. Under supervision, employees in this class perform skilled work in the operation, adjustment, and maintenance of a lithographic (offset) press on a volume production basis." Respondent's Exhibit C.

8. The appellant's position is most accurately described by the position standard for Clerical Assistant 2 and most appropriately classified in that classification.

CONCLUSIONS OF LAW

1. This case is properly before the Commission, pursuant to §230.44 (1) (a), Wis. Stats.

2. The burden of proof is on the appellant to establish that the respondent's decision to reallocate his position to Clerical Assistant 2 was incorrect.

3. The appellant has not sustained the burden of proof.

4. The respondent's decision to reallocate the appellant's position to Clerical Assistant 2 was not incorrect.

OPINION

In an Interim Decision and Order, dated April 2, 1981, the Commission ordered that it had the authority "to decide the question of whether the appellant should be classified as Clerical Assistant 2 or Offset Press Operator 1."

There can be little question that the appellant's position cannot properly be classified as Offset Press Operator 1, since the appellant does not function a majority of the time operating, adjusting, and maintaining an offset press. Although the appellant does operate a press a small percentage of the time, it is a basic concept of the civil service classification that a majority of time must be spent in the work of a classification before classification at that level is appropriate.

As was explained in the April 2 decision, the Commission, in its consideration of classification appeals such as this, must solely rely on the class specifications and standards approved by the personnel board, and it does not have the authority to consider the more general questions about the content of these documents and general questions about salary equity raised by Mr. Schmitz.

ORDER

The decision of the respondent is affirmed and this appeal is dismissed.

Dated: October 2, 1981

AJT:nwb

Parties

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GORDON H. BREHM
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