



STATE OF WISCONSIN

PERSONNEL COMMISSION

\* \* \* \* \*

LON ZHE \*  
 ROGER REINART \*  
 RICHARD PETERSON 2nd \*  
 JAMES HODEK, \*  
 Appellants, \*  
 v. \*  
 Administrator, DIVISION OF \*  
 PERSONNEL, \*  
 [DHSS & DP] \*  
 Respondents. \*  
 Case Nos. 80-285,286,292, \*  
 296-PC \*  
 \* \* \* \* \*

DECISION  
AND  
ORDER

These consolidated cases are before the Commission on appeal of reclassification decisions by the respondent.

FINDING OF FACTS

1. In 1979 requests to reclassify appellants' positions from Officer 5 to Officer 6 were submitted to their department personnel office, but they were denied. Subsequently, the appellants asked the respondent to re-review the department's decision. By memorandum dated August 11, 1980, appellants were notified by the respondent that they concurred with the department's denial of the reclass requests.

The appellants made a timely appeal of respondent's decision to the Commission, alleging the correct classification of their positions is at the Officer 6 level.

2. The appellants, at all times pertinent to this matter, were employed as "assistant camp superintendents" for various camps in the Wisconsin Correctional Camp System, units of the Department of Health and Social Services. Their specific classifications and camp assignments were as follows: Lon Zhe, Officer 5, Oregon State Camp; Roger Reinart, Officer 5, Black River State Camp; Richard Peterson,

Officer 5, Thompson State Camp; and James Hodek, Officer 5, Gordon State Camp. These positions were permanent and in the state classified civil service.

3. Appellant's duties and responsibilities center upon the security and residential care aspects of the camps. This includes supervising security staff, participating in all camp operations - treatment, education, rehabilitation - as well as serving as camp superintendent in his absence. At least 30% of their time is spent as acting superintendent.

4. The current class specifications for an Officer 5, dated August 1970, encompass a variety of positions. This includes positions in a forestry camp which have total responsibility for the security and care program of all the inmates. Employees performing at this level, assign and schedule work for other officers and develop work projects and recreational activities. Supervision is received from higher level administrators who have total responsibility for the camp operation.

The Officer 6 class specifications, dated November 1973, identify positions on a correctional farm or forestry camp which carry total responsibility for the entire operation - planning, management of programs, scheduling and supervising officers - with no immediate supervision being available.

5. The positions of the appellants are correctly identified and classified at the Officer 5 level.

#### CONCLUSIONS OF LAW

1. This Commission has jurisdiction over this matter pursuant to s.230.44(1)(a) of the Wisconsin Statutes.

2. The burden of proof is on the appellants to show that respondent incorrectly denied reclassification, from Officer 5 to Officer 6, of positions held by them.

3. The appellants failed to present sufficient evidence to sustain the burden of proof.

4. Respondent's decision to concur with the Department of Health and Social Services was correct.

#### OPINION

The Officer 6 class specifications identify positions on correctional farms, as in the appellants' case, as those having total responsibility for the entire operation. It is clear that this cannot be said of the appellants. However, it is the appellants' contention that the class specifications are obsolete and can not be adhered to as standards for position classification. The correctional camps no longer are limited to farm and forestry programs, but are engaged in a variety of educational off grounds work and study release programs. These new programs necessitated additional supportive services and increased administrative duties. Such changes resulted in the assignment of additional programmatic responsibilities and duties to the positions held by the appellants. Further, appellants assert that their duties are comparable if not identical to those of an Officer 6 at Waupun and Kettle Moraine. No institution Officer 6's have total responsibility and the camp system Officer 6 position - Farm Supervisor - no longer exists.

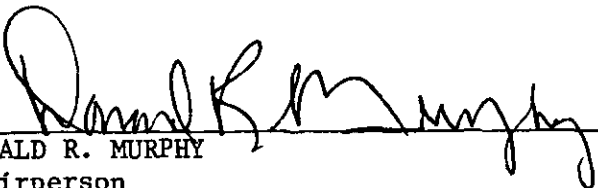
The appellants' arguments are valid and persuasive. The Officer 6 class specification does not encompass the changes that have occurred in the Camp System. There appear to be salary inequities. There is no doubt that an update of class specifications for positions in the Camp System is warranted, but this Commission has no authority in such matters and is bound by class specifications currently in effect.

Zhe, Reinart, Peterson, Hodek v. DP  
Case Nos. 80-285,286,292 & 296-PC  
Page 4

ORDER

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

Dated: Nov. 19, 1981 STATE PERSONNEL COMMISSION

  
DONALD R. MURPHY  
Chairperson

DRM:ers

Parties

Lon Zhe  
Oregon State Camp  
P.O. Box 25  
Oregon, WI 53575

Charles Grapentine  
Division of Personnel  
149 E. Wilson St.  
Madison, WI 53702

Roger Reinart  
Black River Camp  
P.O. Box 33  
Black River Falls, WI 54615

Richard Peterson  
Thompson State Camp  
Rt. 2, Box 245  
Deerfield, WI 53531

James Hodek  
Gordon State Camp  
P.O. Box 54  
Gordon, WI 54838