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ALICE F. KRUEGER, \*

Appellant, \*

v. \*

Administrator, DIVISION OF \*

PERSONNEL, \*

Respondent. \*

Case No. 80-308-PC \*

\* \* \* \* \*

DECISION  
AND  
ORDER

NATURE OF THE CASE

This is an appeal pursuant to s.230.44(1)(a), Wis. Stats., of the reallocation of appellant's position from Area Services Specialist 1 (PR 12-01) to Program Assistant 4 (PR 2-09). Hearing was held on April 27, 1981, before Commissioner Gordon H. Brehm and post-hearing briefs were submitted by the parties.

FINDINGS OF FACTS

1. Appellant has been employed as Foster Grandparent Supervisor at Lincoln Hills School, Irma, WI, since March, 1978.
2. Appellant's position is a permanent, part-time position, working 30 hours per week.
3. Appellant supervises approximately 21 to 23 Foster Grandparents who are employed part-time at the school through a federally funded program. These Foster Grandparents, who are paid volunteers, work with the 45 to 60 juvenile residents of the school.
4. Appellant's position was reallocated in April, 1980, as a result of a review of positions which administer the Foster Grandparents programs at various departments of the Department of Health and Social Services. Three positions located at Northern Wisconsin Center, Central Wisconsin Center and Southern Wisconsin

Center - - all institutions for the developmentally disabled - - were reallocated from Area Services Specialists 3 to Administrative Assistants 3. Appellant's position at Lincoln Hills School and positions at Ethan Allen School and Winnebago Mental Health Institute were reallocated from Area Services Specialists 1 to Program Assistants 4.

5. Appellant has no program support staff at Lincoln Hills but occasionally uses the clerical pool. The annual budget for the Foster Grandparent program at Lincoln Hills for 1980 was about \$70,000.

6. The three positions at Northern, Central and Southern Wisconsin Center for the developmentally disabled are full-time. They have one or two support staff persons, between 65 and 80 foster grandparents, and budgets between \$127,000 and \$156,000.

7. All of the Foster Grandparent Program supervisors at the six institutions report to John Shaffer, state coordinator of the program whose office is located in Madison.

8. The issue agreed to by the parties in this appeal is as follows:

"Whether or not the administrator's decision to reallocate appellant's position from Area Services Specialist 1 to Program Assistant 4 instead of Administrative Assistant 3 was correct?"

9. The definition sections of the position standards and class specifications of the relevant classifications are as follows:

PROGRAM ASSISTANT 4

"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."

"Administrative Assistant 3

Under general direction to do administrative work of more than ordinary difficulty and responsibility requiring the exercise of a considerable amount of individual initiative and independent judgment in directing the business management of a division engaged in a comprehensive non-professional program or activity; and to perform related work as required."

10. The duties and responsibilities of appellant's position are better described by the position standards for Program Assistant 4 than by the class specifications for Administrative Assistant 3.

#### CONCLUSIONS OF LAW

1. This matter is appropriately before the Commission pursuant to s.230.44 (1)(a), Stats.

2. The appellant has the burden of proving that the respondent's action in reallocating appellant's position from Area Services Specialist 1 to Program Assistant 4 was not correct.

3. The appellant failed to sustain that burden.

4. The respondent's decision to reallocate appellant's position to Program Assistant 4 was correct.

#### OPINION

Appellant argued in this case that all the Foster Grandparent Program supervisors at the six institutions should have been reallocated to the same classification, Administrative Assistant 3. She contended that the size of the programs should have no effect on the classification of the positions.

This argument contradicts long-established personnel practices and policies used throughout state service in establishing proper classifications for positions.

It seems obvious in this day and age that the size and scope of the program for which a position is responsible does determine in large measure the complexity and degree of responsibility of the position in question.

In this instance, the three positions at Northern, Central and Southern Wisconsin Centers administer programs which are twice the size of the program which appellant administers. They also have support staff which they must supervise which adds to their responsibilities.

Appellant also cites s.230.09, Wis. Stats., to support her argument that all six positions should be classified the same. The Commission has already ruled in Meschefske v. DP, Case No. 80-37-PC (1-8-81), that this statute states, "Each classification so established shall include all positions which are comparable with respect to authority, responsibility and nature of work required." (Emphasis added). For reasons stated earlier, the Commission does not believe that all six of these positions are comparable with respect to authority and responsibility.

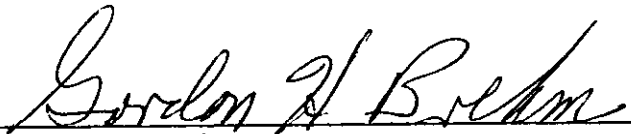
Appellant's Foster Grandparent program at Lincoln Hills School is smaller, less complex and with less responsibility than the three positions at the developmentally disabled centers and is properly classified at the Program Assistant 4 level.


ORDER

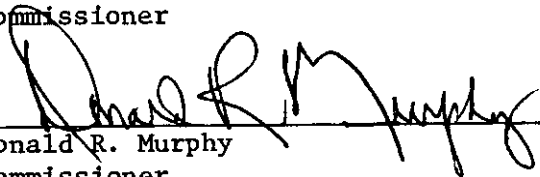
The respondent's action in reallocating appellant from Area Services Specialist 1 to Program Assistant 4 is affirmed and this appeal is dismissed.

Dated Sept. 3, 1981

STATE PERSONNEL COMMISSION

  
\_\_\_\_\_  
Gordon H. Brehm  
Chairperson

  
\_\_\_\_\_  
Charlotte M. Higbee  
Commissioner

  
\_\_\_\_\_  
Donald R. Murphy  
Commissioner

mgd

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