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LYLE NESTINGEN,
 GEORGE ALFANO,

 Appellants,

 v.

 Administrator, DIVISION OF
 PERSONNEL,

 Respondent.

 Case Nos. 80-369-PC & 371

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DECISION
 AND
 ORDER

These cases involve appeals of the administrator's reclassification decisions. The actions were consolidated upon agreement of the parties.

FINDINGS OF FACT

1. At all times relevant the appellants have been employed at the Division of State Energy, Department of Administration in permanent positions. Appellant Lyle Nestingen has been in the Bureau of Engineering since 1956. Currently he is employed as a Civil Engineer 6 having initially begun performing duties at that classification level in June, 1970. George Alfano, the other appellant, also has been employed in the Bureau of Engineering for several years.

2. In 1975 a Preventive Maintenance Management Group was established in the Bureau of Facilities Management. This unit was responsible for a state-wide preventive maintenance program for structural, mechanical and electrical systems in state facilities. It consisted of a group leader, (an Electrical Engineer 7) and three staff positions--a Civil Engineer 6, an Architect 6 and a Mechanical Engineer 6. Appellants Nestingen and Alfano were transferred into the Civil Engineer 6 and Architect 6 positions.

Later, the unit was given additional responsibilities for preventive maintenance and conservation of energy in state facilities and experienced several organizational changes. In 1979, the unit was reassigned to the office of the bureau director. Two years later it was transferred to the energy division and designated a bureau.

3. At appellants' request, DOA in July 1980 reviewed the classification of appellants' positions. After the review, DOA sent appellants written reclassification denials. Upon receipt of the DOA's decision, appellants requested a re-review of their positions by the respondent. On October 19, 1980, the respondent informed appellants that their positions had been reviewed as requested and that DOA's decision was correct. Appellants made timely appeals to this Commission alleging they more appropriately should be classified as a Civil Engineer 7 and Architect 7.

4. Since November, 1975, appellant Lyle Nestingén's duties while classified as a Civil Engineer 6 included the following: participation in the development and conducting of energy conservation studies, surveys and research projects; providing consultation and assistance to architects and engineers on energy matters and related problems; developing and monitoring a reporting system on the physical condition of the external structure of state facilities; reviewing plans for new construction and remodeling; and reviewing energy conservation studies developed by other state agency survey teams.

5. Appellant George Alfano, similarly since 1975, has performed certain duties as an Architect 6. Alfano developed maintenance programs; conducted study programs for insulation projects; directed and reviewed the work of outside consultants; and engaged in various studies for energy conservation.

The level of these duties and attendant responsibilities is comparable to Mr. Nestingén's.

6. In 1974, the state collective bargaining agreement made it necessary to either group positions among various potential bargaining units or to identify them as supervisory, managerial or confidential. As a consequence, certain classified civil service positions were determined to have supervisory or managerial status. Pertinent to this case, Civil Engineer 6 and Architect 7 positions were retitled supervisory. Civil Engineer 7 positions were retitled managerial. In the spring of 1975, the Civil Engineer 6 (non-supervisory) classification was reestablished.

7. Civil Engineer 6 and Architect 6 are the highest levels in their given class series for non-supervisory or non-managerial positions performing professional work. Neither of the appellants perform functions to the extent and degree necessary to define their positions as supervisory or managerial.

8. Appellants Nestingén & Alfano are more properly classified in their present classification series at the sixth level than at level seven.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction to hear and decide this matter.
2. The burden of proof, which was on the appellants, was not sustained.
3. Respondent's decisions to deny the reclassification requests of the appellants were correct.
4. The present classifications of the appellants are more representative of their positions than the requested classifications.

OPINION

In this case before the Commission, both appellants wished to be reclassified to a managerial classification in their respective civil engineering and architectural job categories. The evidence presented does not support that result. While it is true that some managerial characteristics are natural and inseparable qualities of appellants' positions, they are ancillary in nature and do not constitute the primary function of the positions. The appellants are practitioners in their particular fields and not administrators.

ORDER

The decisions of the respondent, Division of Personnel, to deny appellants' reclassification requests are affirmed and appellants' appeals dismissed.

Dated: March 19

1982

STATE PERSONNEL COMMISSION

DRM:jmf

Parties:

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