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 NANCY MCCLEMENTS,  
                           Appellant,  
 v.  
 Administrator, DIVISION OF  
 PERSONNEL,  
                           Respondent.  
 Case No. 81-167-PC  
 \* \* \* \* \*

DECISION  
 AND  
 ORDER

NATURE OF THE CASE

This is an appeal pursuant to §230.44(1)(a), stats., of the reallocation of the appellant's position.

FINDINGS OF FACT

1. At all relevant times the appellant has been employed in the classified civil service in the Instructional Materials Center (IMC), School of Education, UW-Madison.

2. As a result of a survey conducted by the respondent, he reallocated the appellant's position from Library Technician to Library Services Assistant 3.

3. The duties and responsibilities of appellant's position may be summarized as follows (see Appellant's Exhibit 3):

Goals and worker activities

30% A. Reserve Book Room

1. Communicates with faculty to secure bibliographies of assigned readings for School of Education courses.
2. Interprets IMC reserve policy to faculty and to users of reserve materials.
3. Supervises and assists in the preparation of materials for circulation.

Goals and worker activities (continued)

4. Supervises and provides assistance to users in securing reserve materials.  
(this section includes acquisitions in the amount of about 2% of overall activities)

30% B. Circulation

1. Supervises, trains and assists desk staff in charge/discharge procedures.
2. Answers directional, informational, and reference questions and refers users to other units of the IMC as necessary.
3. Prepares instructions for operation of circulation desk to be included in IMC manual of operations.
4. Has knowledge of the Library of Congress Classification system.
5. Maintains circulation files.

- 20% C.
1. Deals with patrons on questions relating to overdues and fines.
  2. Responsible for accounting of monies collected in fines.
  3. Directs/participates in searching for overdue materials.
  4. Directs/participates in preparation of overdue notices.
  5. Directs/participates in overdue billing procedures.
  6. Evaluates appeals of overdue charges.

- 5% D.
- Assists in screening and hiring of student assistants. Schedules, trains and supervises student assistants assigned to circulation services (250 student hours per week, approximately 18-20 people). Note: This aspect of the job is of equal importance to Goals A, B, and C, because the activities are performed by the students under the direction of the person in this position.

3% E. Recording and Reporting of Statistics

1. Maintains and reports statistics for general and reserve circulation.
2. Maintains and reports overdue and fine statistics.
3. Maintains and reports statistics of holdings in the Reserve Book Room.

2% F. Collection Maintenance

1. Directs shelving of materials and shelf reading.
2. Assists with major and partial inventories as needed.

10% G. Assists with other IMC functions

1. Responsible for opening Reserve and Circulation Desks on usual work days.
2. Responsible for overall operation of facility during assigned evening and weekend hours.
3. Accounts for monies collected for IMC Services and deposits same.
4. Has typing skills requisite to activities listed in position description.

4. The appellant reports to Jo Ann Carr, specialist-Librarian, head of the public services unit, who in turn reports to the IMC director.

5. The IMC at UW-Madison is designed to serve the School of Education, primarily the undergraduate program, although some materials and services are provided for the graduate program. The IMC does not have a research collection as the General (Memorial) Library System is responsible for the acquisition and maintenance of materials related to upper level research. The IMC handles its own cataloguing and acquisitions.

6. The IMC collection includes approximately 47,218 volumes, 12,924 audio-visual materials (i.e., audio cassettes, film strips, slides, etc.), 305,720 microfiche items, and 312 periodical titles.

7. The IMC at UW-Madison is not considered a "major library" for classification purposes by the respondent.

8. The LSA position standard does not define the term "major library." The respondent's definition of "major library" relies primarily on quantitative characteristics including the size of the plant, number of clientele, number of staff, and number of volumes.

9. In terms of the foregoing criteria, the libraries characterized by respondent as major, which includes the Steenbock, College and Memorial libraries at UW-Madison, and the Golda Meir library at UW-Milwaukee, are two to three times as large as the IMC at UW-Madison and contain at least 100,000 volumes.

10. The class descriptions for LSA 3 and 4 are as follows:

Library Services Assistant 3

PR2-07

This is paraprofessional and/or advanced clerical support work in a specialized subunit of a library. Positions allocated to this level are responsible for a recognized program activity or subunit which requires expertise in specific program activities or technical library practices and procedures. Positions functioning at this level may direct the activities of the circulation or loan desk, reserve desk, audio visual center, or assist in the performance of cataloging activities or other comparable subunit or program activities. Also allocated to this level are those positions who directly assist a library professional in all areas of a branch departmental library. Work is performed under general supervision and may include lead work responsibilities for a small number of lower level employees.

Library Services Assistant 4

This is para professional support work in a library. Positions allocated to this level are: 1) independently accountable for a recognized programmatic activity or area of the library such as lead worker over a circulation desk during a shift where there are no other higher level library professionals; 2) directly accountable to a unit head with responsibility for a recognized program activity or area of a major library such as being independently responsible for the operation of a periodical room, bindery operation or reserve book room; 3) positions which are responsible on an ongoing basis for complex and specialized

library functions in a foreign language. Work at this level requires a thorough knowledge of the activity, program or specialty area. Work is performed under general supervision.

11. The IMC at UW-Madison is not a major library and the appellant's position is better described by the LSA 3 class description than the LSA 4 class description, and is more appropriately classified as LSA 3.

#### CONCLUSIONS OF LAW

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

2. The appellant has the burden of proving that the respondent erred in reallocating her position to LSA 3 instead of LSA 4.

3. The appellant has not sustained that burden.

4. The respondent did not err in reallocating appellant's position from LSA 3 to LSA 4.

#### OPINION

There are three recognized categories of LSA 4 in the class description. Subparagraph 3) is not applicable to the appellant's position because it is not responsible for functions in a foreign language. Subparagraph 1) is not applicable because the appellant is not "accountable for a recognized programmatic activity or area of the library... during a shift where there are no other high level library professionals," inasmuch as Ms. Carr, the appellant's supervisor, is usually available on the same shift.

Subparagraph 2) refers to positions "directly accountable to a unit head with responsibility for a recognized program activity or area of a major library such as being independently responsible for the operation of a periodical room, bindery operation, or reserve book room..." There is no dispute that the appellant meets this definition with the exception

that the parties disagree over whether the UW-Madison IMC is a "major library."

The term "major library" is not defined in the position standard. The respondent's definition relies primarily on quantitative criteria, and by these criteria the UW-Madison IMC is not rated as a major library.

The appellant focuses on certain facets of the IMC operation which are not included in the respondent's criteria, and argues that on this basis the IMC should be recognized as a major library for classification purposes.

The appellant has the burden of proof. Quantitative factors such as have been used here are legitimate criteria in evaluating the relative classification levels of positions. See, e.g., Paul v. Wettengel, Wis. Pers. Bd. No. 73-65 (11/22/74); Dworak v. DP, Wis. Pers. Comm. No. 79-PC-CS-198 (2/9/82). One of the criteria used by the respondent has been number of volumes, with a cutoff at about 100,000. The IMC clearly has appreciably fewer volumes, with about 47,000. With respect to the other quantitative criteria such as size of plant, staff, etc., the respondent provided un-rebutted testimony that the IMC had two to three times less quantity than the libraries categorized as major.

The appellant established that the IMC contains approximately 319,000 other items in addition to the approximately 47,000 volumes. However, there is no indication on this record that this is more than the holdings of the major libraries or that these other items are of equal significance to volumes in terms of the classification factors.

The appellant also argued that the IMC should be considered a major library because of the range of functions it performs--e.g., it handles its own acquisitions and cataloguing whereas other libraries including the College library, rely on the Memorial Library for these functions. This argument does have some force, but it cannot be said that on this record there is sufficient evidence to support a conclusion that the respondent erred in relying on the quantitative factors as set forth in the findings. The appellant testified that she was not involved in cataloguing and that her acquisition activities with respect to reserve books amounted to only about 2% of her total activities. On the other hand, a position similar to hers in a "major" library with two to three times the number of volumes, staff, clientele, etc., can be expected to have a broader range of more complex questions and problems to deal with, etc. Therefore, a position such as the appellant's is not particularly affected by whether acquisitions and cataloguing are performed in-house or at the Memorial Library, but would be substantially affected by doubling in size of the number of volumes held by the library, the size of its staff, the number of clientele served, etc.

ORDER

The action of the respondent reallocating the appellant's position from Library Technician to Library Assistant 3 is affirmed and this appeal is dismissed.

Dated: May 28, 1982 STATE PERSONNEL COMMISSION

AJT:jmf

  
DONALD R. MURPHY, Chairperson

  
LAURIE R. McCALLUM, Commissioner

  
JAMES W. PHILLIPS, Commissioner

Parties:

Nancy A. McClements  
2243 Woodview Court, #9  
Madison, WI 53713

Charles Grapentine  
Administrator, DP  
149 E. Wilson St.  
Madison, WI 53702