

\* \* \* \* \*  
 \*  
 \*  
 \*  
 PRISCILLA A. OLBRANTZ, \*  
 \*  
 Appellant, \*  
 \*  
 v. \*  
 \*  
 Secretary, DEPARTMENT OF \*  
 HEALTH & SOCIAL SERVICES, & \*  
 Secretary, DEPARTMENT OF \*  
 EMPLOYMENT RELATIONS, \*  
 \*  
 Respondents. \*  
 \*  
 Case No. 84-0065-PC \*  
 \*  
 \* \* \* \* \*

DECISION  
 AND  
 ORDER

This is an appeal from respondents' decision denying the reclassification of the appellant's position from Program Assistant 2 to 3. At the prehearing conference held on June 13, 1984, before Anthony J. Theodore, General Counsel, the parties agreed to the following issue for hearing:

Whether the respondents' decision to deny reclassification of the appellant's position from Program Assistant 2 to 3 was correct.

Hearing in the matter was held on July 26, 1984, before Dennis P. McGilligan, Commissioner. The parties did not file written arguments.

FINDINGS OF FACT

- At all times material herein, the appellant has been employed in the classified civil service by the Department of Health and Social Services as a Program Assistant 2 in the Records Department of the Green Bay Correctional Institution.
- The appellant's duties and responsibilities, in summary, include the following: audit sentences and computations on all inmate admissions; maintain follow-up system for inmate release dates; monitor daily

population control records; prepare responses by phone, documentation and/or correspondence to inquiring agencies; process inmate records and transcripts and complete reports as necessary; assist inmates in reviewing their legal files and other related matters and act in the absence of the Institution Records Supervisor.

3. The Program Assistant position standard provides, in relevant part, as follows:

A. Purpose of this Position Standard

This Position Standard is intended to be used for making classification decisions relative to present positions performing program activities while still being flexible enough to classify future positions which may involve different programs and/or program emphasis. This Position Standard will not specifically identify every eventuality or combination or duties and responsibilities of positions that currently exist or those that result from changing program emphasis in the future. Rather, it is designed to serve as a basic framework for classification decision making in this occupational area.

B. Inclusions

This series encompasses both generalized and specialized staff assistance in a wide range and combination of activities. Positions in this classification series are characterized by their involvement in and accountability for carrying out significant and recognizable segments of program functions or organizational activities. Positions are assigned related staff functions and complete phases of whole activities where discretion and decision making can not be standardized. Positions typically function in the capacity of a coordinator for an event or activity that lends significantly to the program involved. Positions normally assist a program head, supervisor or other official who is ultimately responsible for the entire program area involved.

\* \* \*

D. Classification Factors

Individual position allocations in this series will be based on the four following classification factors:

1. Accountability;

2. Know-How;
3. Problem-Solving; and
4. Working Conditions

which include:

- a. The diversity, complexity, and scope of the assigned program, project, staff responsibilities, or activities;
- b. The level of responsibility as it relates to: type and level of supervision received, status within the organization, and degree to which program responsibility and accountability are delegated and/or assigned;
- c. The degree to which program guidelines, procedures, regulations, precedents, and legal interpretations exist and the degree to which they must be applied and/or incorporated into the program and/or activities being carried out by the position;
- d. The potential impact of policy and/or program decisions on state and non-state agencies, organizations, and individuals;
- e. The nature and level of internal and external coordination and communication required to accomplish objectives;
- f. The difficulty, frequency, and sensitivity of decisions which are required to accomplish objectives and the level of independence for making such decisions.

E. Definition of Terms Used in this Standard

Terms that are used in conjunction with the above classification factors within this series are:

Paraprofessional	A type of work closely relating to and resembling professional level work, with a more limited scope of functions, decision-making and overall accountability. A paraprofessional position may have responsibility for segments of professional level functions, but is not responsible for the full range and scope of functions expected of a professional position.
------------------	--

\* \* \*

II. CLASS DESCRIPTIONS

The following class descriptions for the various class levels within the Program Assistant series are designed to provide basic guidelines for the allocation of both present and future positions, as well as to serve as a basis for comparisons with positions in other class series.

\* \* \*

PROGRAM ASSISTANT 2

(PR2-07)

This is work of moderate difficulty providing program support assistance to supervisory, professional or administrative staff. Positions are allocated to this class on the basis of the degree of programmatic involvement, delegated authority to act on behalf of the program head, level and degree of independence exercised, and scope and impact of decisions involved. Positions allocated to this level are distinguished from the Program Assistant 1 level based on the following criteria: (1) the defined program area for which this level is accountable is greater in scope and complexity; (2) the impact of decisions made at this level is greater in terms of the scope of the policies and procedures that are affected; (3) the nature of the program area presents differing situations requiring a search for solutions from a variety of alternatives; and (4) the procedures and precedents which govern the program area are somewhat diversified rather than clearly established. Work is performed under general supervision.

PROGRAM ASSISTANT 3

(PR2-08)

This is paraprofessional work of moderate difficulty providing a wide variety of program support assistance to supervisory, professional or administrative staff. Positions are delegated authority to exercise judgment and decision making along program lines that are governed by a variety of complex rules and regulations. Independence of action and impact across program lines is significant at this level. Positions at this level devote more time to administration and coordination of program activities than to the actual performance of clerical tasks. Work is performed under general supervision.

4. In a memorandum dated April 11, 1984, the Bureau of Personnel and Employment Relations denied appellant's request for reclassification from Program Assistant 2 to Program Assistant 3. On May 1, 1984, appellant filed a timely appeal of this denial with the Commission.

5. In June, 1982, Dodge Correctional Institution became the Central Reception Center and Assessment and Evaluation Unit for all inmates

admitted to adult institutions. This was previously assigned jointly to Waupun and Green Bay Correctional Institutions. This resulted in both staff and workload changes in the records office at Green Bay. Staff changes involved redeployment of a records office position occupied by Ellen Harring (Program Assistant 2) to Dodge. Workload changes involved elimination of reception center functions which included initial intake interviews, completion of the inmate record face sheet and computation of sentences. The effect of these changes on the incumbent position was the assignment of additional duties from the redeployed Program Assistant 2 position, and elimination of reception center functions.

6. The appellant is not a lead worker.

7. Other relevant class descriptions in the Data Entry Operator, Word Processing Operator and Legal Secretary series include the following:

Data Entry Operator 1 (PR2-05)

This is full performance work of moderate difficulty in the production of data entry information....

Data Entry Operator 2 (PR2-06)

This is lead work of moderate difficulty in the production of data entry information from both routine and complex source documents by using any one or a combination of the following systems:...

Word Processing Operator 2 (PR2-06)

This is full performance level clerical work of moderate difficulty typing in a Word Processing Center or comparable office setting using automatic word processing equipment on a production basis....

Word Processing Operator 3 (PR2-07)

This is lead clerical work of moderate difficulty as a lead typist in a Word Processing Center or comparable office setting using word processing equipment on a production basis....

LEGAL SECRETARY 1 (PR2-07)

This is full performance level work of moderate difficulty performing secretarial duties for legal counsel and staff attorneys....

LEGAL SECRETARY 2

(PR2-08)

This is lead level work of moderate difficulty involving secretarial duties of an advanced nature for legal counsel and staff attorneys....

8. From a classification standpoint, the appellant's position is not at a higher level than the following positions, both of which are classified as Program Assistant 2 and do not have leadwork responsibilities:

a. Marona Stack presently occupies the position at Oakhill Correctional Institution. According to her position summary, Stack provides administrative services in the processing of complex and quasi-legal actions in the operation of the Oakhill Correctional Institution Record Unit under the supervision of the Treatment Director, and direction of the Institution Registrar. Included among these administrative services provided by Stack are the coordination of parole interviews for inmates applying for parole; coordination of Mandatory Release and Mutual Agreement Program paroles and discharges to assure legal release; provision of direct services to inmates; coordination of records and data on inmates transferred in and out of institution; compilation, tabulation and dissemination of inmate movement data and maintenance of accurate records and files.

b. Patricia Severson presently occupies the position in the Wisconsin Correctional Camp System. According to her position summary, Severson performs a variety of complex clerical duties insuring the commitment and release of some 300 inmates within the Camp System (6 minimum security correctional camps) under the general direction of the Administrative Officer 1 and/or Institution Registrar 2. Severson also maintains communication with various correctional and law enforcement agencies; computes inmate release dates and

maintains various inmate records and reports. Finally, Severson assists the Institution Registrar and in his absence assumes responsibility of the Records Unit.

9. From a classification standpoint, the appellant's position is at a lower level than the following position which is classified as a Program Assistant 3:

Germaine M. Youngwirth presently occupies a position with this classification at Waupun Correctional Institution. Youngwirth computes mandatory release and discharge dates on all admissions, parole violators and mandatory release violators and escapees in compliance with statutory requirements. She also helps compute parole eligibility dates on all admissions. In addition, Youngwirth has certain lead work responsibilities including the assignment and coordination of work assignments for Record Office staff (4 people) and 5 inmate clerks, schedule of noon hour coverage and vacation replacement, preparation of rough drafts of Position Descriptions and various other supervisory duties.

10. The duties and responsibilities of appellant's position are more accurately described by the class specifications for a Program Assistant 2 and appellant's position is more appropriately classified as a Program Assistant 2.

#### CONCLUSIONS OF LAW

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

2. The appellant has the burden of proof of establishing that the respondents' decision denying reclassification of her position was incorrect.

3. The appellant has not sustained her burden.

4. The respondents' decision to deny the request for reclassification of the appellant's position was not incorrect.

OPINION

In order to reclassify a position, there must be logical and gradual changes in the duties or responsibilities. ER-Pers. 3.01(3), Wis. Adm. Code. When applied to the facts of the case, this requires the appellant to show that her position has changed sufficiently so as to resemble the duties and responsibilities of a Program Assistant 3 more closely than those of a Program Assistant 2.

According to the class specifications, a Program Assistant 2 provides "program support assistance to supervisory, professional or administrative staff." On the other hand, Program Assistant 3 "is paraprofessional work of moderate difficulty providing a wide variety of program support assistance to supervisory, professional or administrative staff." Independence of action and impact across program lines is "significant" at the Program Assistant 3 level. In contrast to a Program Assistant 2, positions at the 3 level "devote more time to administration and coordination of program activities than to the actual performance of clerical tasks."

Appellant argues that she should be reclassified as a Program Assistant 3 because she has assumed some of the responsibilities of Ellen Harring when Ellen left Green Bay Correctional Institution and went to Dodge upon the elimination of reception center functions at Green Bay. However, Harring was a Program Assistant 2. Appellant's assumption of these duties, therefore, could only support her continued classification at the Program Assistant 2 level.

Appellant also argues in support of her position that she performs basically the same work as Germaine M. Youngwirth who is a Program Assistant 3 at Waupun Correctional Institution. This is true with one significant difference--Youngwirth has leadworker responsibilities as noted in Finding of Fact 9. The Program Assistant Position standard indirectly



recognizes this responsibility at the three level under its classification factors for individual position allocations in this series. See Finding of Fact 3. In addition, the testimony indicated that the state has an established allocation pattern with respect to these two classifications so that positions with leadworker responsibilities are classified at the higher level. See Finding of Fact 8 and 9. This approach is consistent with allocation patterns in other series (Finding of Fact 7) where positions performing otherwise similar work are classified at the higher level based on their lead work duties.

Contrary to the above, appellant argues that she had leadworker responsibilities at one time and should have been reclassified to a Program Assistant 3 back then. However, the record indicates that although appellant may have had a role in training new employes in the past, at no time material herein did she have any leadworker responsibilities.

Appellant further maintains that experience is necessary to serve in the absence of the Institution Records Supervisor and this should be a basis for her reclassification. Unfortunately, from appellant's viewpoint, the class specifications do not recognize same. Nor is the Program Assistant series a progression series where an employe can move from one level to another based on the attainment of specified education or experience by the incumbent. See §ER-Pers. 3.01(3), Wis. Adm. Code.

In addition, appellant maintains that to base the aforesaid reclassification decision on the number of staff supervised only encourages inefficiency. However, the record does not support a finding regarding same. Therefore, the Commission likewise rejects this argument of appellant.

Finally, appellant maintains that she and other similarly situated employes have a great deal of responsibility in carrying out their duties,

especially in the absence of the Records Unit Supervisor. Therefore, appellant contends all these employes should be classified at the Program Assistant 3 level. However, as previously noted, appellant's duties satisfy the Program Assistant 2 class specifications. Appellant appears to disagree with the classification structure for Program Assistants working in Records Units of the State's correctional institutions. Since the Commission can only hear appeals from specific classification decisions, and in so doing must adhere to the existing class specifications or position standards, it can not address this kind of contention. Changes in the fundamental structure of classifications within the State Civil Service must be made by the Secretary of the Department of Employment Relations. Section 230.09(2) (am), Stats. (1983-84).

Based on all of the foregoing, the Commission finds that the answer to the issue as stipulated to by the parties is YES, the respondents' decision to deny reclassification of the appellant's position from Program Assistant 2 to 3 was correct and should be affirmed.

ORDER

The respondents' classification decision is affirmed and the  
appellant's appeal is dismissed.

Dated: September 12, 1984 STATE PERSONNEL COMMISSION

  
DONALD R. MURPHY, Chairperson

DPM:jab  
JEN3

  
LAURIE R. McCALLUM, Commissioner

  
DENNIS P. MCGILLIGAN, Commissioner

Parties:

Ms. Linda Reivitz  
DHSS, Secretary  
1 W. Wilson St.  
Madison, WI 53702

Ms. Priscilla Olbrantz  
1256 Alice Drive  
Green Bay, WI 54304

Howard Fuller  
Secretary, DER  
P. O. Box 7855  
Madison, WI 53707