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MARK L. VOIGT,
 Appellant,

v.
Secretary, DEPARTMENT OF
EMPLOYMENT RELATIONS,
 Respondent.

Case No. 84-0113-PC
* * * * *

DECISION
AND
ORDER

This is an appeal of the respondent's decision reallocation the appellant's position from Security Officer (PR5-06) to Security Officer 2 (PR5-07). The appellant believes that his position is more appropriately allocated to the Security Officer 3 (PR5-08) level. The following findings are based upon a hearing on this matter.

FINDINGS OF FACT

1. At all times relevant to this appeal, the appellant, Mark Voigt, has been employed in a permanent classified civil service position by the State Historical Society at a state historical site called Old World Wisconsin.

2. In June, 1984, the Department of Employment Relations reallocated Voigt's position from Security Officer (PR5-06) to Security Officer 2 (PR5-07).

3. The appellant, Voigt, appealed this reallocation of his position within the statutory time limitation requirements.

4. Currently, four security officers are assigned to Old World Wisconsin. The first line supervisor of these security officers is the

assistant to the Director of the Sites Division, John Reilly, who is classified as an Administrative Assistant 4.

5. Myron Niffenegger is the lead worker of the security officers; he is classified as a Security Officer 3 (PR5-08).

6. The appellant spends eighty percent of his work time securing the museum -- Old World Wisconsin -- by patrolling its grounds on foot and in a vehicle, fifteen percent giving assistance to visitors and five percent maintaining daily logs and reports.

7. The appellant has no arrest powers. He is not authorized to issue any type of citation and his enforcement of state and Historical Society laws and rules is limited to inducement. In instances involving police matters, he is instructed to call the local sheriff or police.

8. The state class definitions and corresponding representative positions for the Security Officers 2 and 3 are as follows:

SECURITY OFFICER 2 (PR5-07)

This is entry or objective level security and protection work. Positions at the objective level are primarily responsible for making limited patrols of assigned buildings and grounds to guard against trespass, vandalism, property damage, and reporting incidents or violations to appropriate authorities. Work is performed under general supervision.

Representative Position

Under general supervision positions are responsible for the security of the general library or residence halls at the University of Wisconsin-Madison campus. This work involves patrolling assigned buildings to ensure all doors are properly locked and secure; taking necessary steps to insure that property is safe from fire, theft and vandalism; providing varied assistance to staff and visitors; and providing security support services to library or residence halls staff.

SECURITY OFFICER 3 (PR5-08)

This is objective or lead level security and protection work. Positions at the objective level are responsible for providing security and protection services at a state facility. In addition, positions at this level perform limited enforcement

activities such as those pertaining to parking regulations, traffic rules and regulations at the facility, and investigating complaints resulting from traffic incidents or possible law violations. Lead positions guide and direct the work of positions classified as Security Officer 2. In both cases, work is performed under general supervision.

Representative Position

Under general supervision this position is responsible for providing security and protection of all University buildings, grounds and equipment from loss or damage; providing emergency assistance as needed; observing and reporting any situation that could cause injury of loss to the University, its faculty, staff or students; and ensuring that the rules and laws applicable to the campus are effectively enforced by directing compliance, issuing warnings/citations, and reporting violation to the appropriate authorities as necessary.

9. Appellant's position is better described by the Security Officer 2 class definition than the Security Officer 3 class definition and is more appropriately classified as Security Officer 2.

CONCLUSIONS OF LAW

1. This appeal is properly before the Commission pursuant to §230.44(1)(b), Wis. Stats.
2. The burden is on appellant to show by a greater weight of credible evidence that the decision of the Administrator to reallocate his position to Security Officer 2 instead of Security Officer 3, was incorrect.
3. Appellant has failed to carry his burden of persuasion.
4. The decision of the Administrator to reallocate appellant's position to Security Officer 2 instead of Security Officer 3 was correct.

OPINION

The appellant argues: The only difference between the Security Officer 3 and Security Officer 2 duties and responsibilities (at Old World Wisconsin) is that the Security Officer 3 makes out work schedules. The supervisor of the Security Department should be responsible for making out the work schedule.

The clear evidence is that appellant performs routine security work; he checks doors and windows on buildings and patrols the grounds. The appellant lacks authority to enforce Historical Society regulations except through casual persuasion. The Security Officer 3 position at Old World Wisconsin, unlike appellant's, has lead work responsibilities. These lead work responsibilities appear to place that position in its given classification.

The appellant, in his written rebuttal to respondent's post-hearing brief, discussed a Security Officer 3 position at UW-Stevens Point. This information was not presented at the hearing and was not considered in this decision.

For the reasons as expressed above and based upon the record, it is the belief of this commission that respondent correctly allocated appellant's position to the Security Officer 2 level.

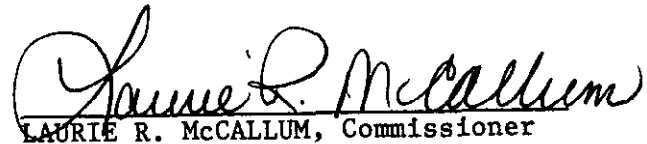
ORDER

The respondent's reallocation is affirmed and appellant's appeal is dismissed.

Dated: June 6, 1985 STATE PERSONNEL COMMISSION


DENNIS P. MCGILLIGAN, Chairperson


DONALD R. MURPHY, Commissioner


LAURIE R. McCALLUM, Commissioner

DRM:jmf
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