

STATE OF WISCONSIN

PERSONNEL COMMISSION

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WILLIAM CRITCHLEY,

Appellant,

v.

President, UNIVERSITY OF
WISCONSIN SYSTEM (Madison),
and Secretary, DEPARTMENT OF
EMPLOYMENT RELATIONS,

Respondents.

Case No. 86-0037-PC

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DECISION
AND
ORDER

This matter is before the Commission as an appeal of a reclassification denial. At a prehearing conference held on July 31, 1986, the parties agreed to the following issue for hearing:

Whether the decision by respondent[s] to deny appellant's request for the reclassification of his position from Maintenance Supervisor 1 (PR 1-10) to Maintenance Supervisor 2 (PR 1-11) was correct.

Subissue: Whether appellant's position is more appropriately classified as a Maintenance Supervisor 1 or Maintenance Supervisor 2.

FINDINGS OF FACT

1. Since October of 1984, the appellant has served as the supervisor of the key shop in the Physical Plant Division at the University of Wisconsin-Madison.

2. The UW Physical Plant is responsible for providing maintenance for all of the Madison campus and includes approximately 1000 employes. Included within the Physical Plant are approximately 225 building trades employes (including journeymen, carpenters, painters, etc.), skilled

technicians (including instrument makers, mechanics and locksmiths), grounds workers and custodial employes.

3. The Physical Plant Division includes the "Machine Shop" subdivision under the direction of James Meier, Craftworker Supervisor. The subdivision includes four "shops": garage, key shop, machine shop and welding shop. Mr. Meier serves as the supervisor for the welding shop and also as the supervisor for the supervisors of the other three shops: David Coffey is Maintenance Supervisor 1 for the machine shop, the appellant is supervisor of the key shop, and Donald Wustrack is Auto Shop Supervisor of the garage. Eugene Hartl, MS 3, assists Mr. Meier and has a working title of Assistant Shop Supervisor. Mr. Meier does not get involved with appellant's work unless Mr. Hartl and the appellant cannot resolve the problem. Mr. Coffey's request for reclassification from MS 1 to MS 2 was denied by respondents and is pending before the Commission as case number 86-0141-PC.

4. The "Position Summary" and "Goals and Worker Activities" portions of appellant's December, 1985 position description are set out below.

POSITION SUMMARY

This position provides direct supervision over the U.W. Madison/Physical Plant Locksmith Shop. This shop provides a wide variety of maintenance and repair services for all types of locks, safes, vaults, exit hardware, door closers, and other related equipment.

GOALS AND WORKER ACTIVITIES

- 90% A. Supervision of Locksmith Shop personnel and operation.
 - 5% A1. Effectively recommends the hiring, transfer, suspension, layoff, recall, promotion, discharge, assignment, evaluation, discipline, and adjustment of grievances of subordinate employes.
 - 20% A2. Assigns work and provides necessary instructions to four full-time Locksmiths.
 - 5% A3. Provides special instructions and training to new employes not familiar with all aspects of the locksmith trade.

- 20% A4. Set up and maintain computerized record keeping system including key files, building key schedule files, inventory files, etc.
 - 10% A5. Plans, implements and directs a preventative maintenance program for locks and related hardware.
 - 10% A6. Orders all parts and supplies necessary for operation of Locksmith Shop. Charges out all materials on "Charge Out" slips. Maintains inventory records.
 - 10% A7. Acts as a consultant on locksmithing and attends meetings with U.W. departments and other State agencies regarding locks and related hardware; makes recommendations on various security systems, keying policies, keying schedules, lock maintenance, work priorities and problems related to new construction and existing buildings.
 - 10% A8. Other assigned work may include tasks not specifically enumerated above which are of a similar kind of level.
- 10% B. Locksmith Work
- B1. Works at counter in Locksmith Shop; accepts work orders for re-keying, duplicate keys, etc.; answers questions regarding keying policies and procedures.
 - B2. Performs locksmith work, especially the more difficult jobs and jobs requiring close coordination and cooperation with other trades.

5. The appellant's subordinates maintain and repair mechanical equipment, but do not repair and maintain automotive, heating or electrical equipment or appliances.

6. The position standard for the MS 1 classification includes the following language:

Definition:

This is responsible maintenance and repair work in the supervision of a crew engaged primarily in mechanical maintenance and repair and custodial services. Employees in this class are responsible for the day-to-day activities of a crew involved in carrying out a variety of maintenance tasks in an assigned area which includes a building or complex of buildings such as a student center, food service operation or residence halls complex. Positions may also be allocated to this class on the basis of functioning as a line assistant to a Maintenance Supervisor 3. Work at this level is generally performed under the direct supervision of higher level maintenance personnel.

Examples of Work Performed:

* * *

Investigates damage and inspects work after repairs have been completed.

* * *

Conducts a preventative maintenance program by scheduling work to be completed on a regular basis to mechanical and electrical units, such as electric motors, air conditioning units, chillers, circulating pumps and heaters.

* * *

Selects, orders and inspects replacement parts and equipment. Supervises the adjusting and calibrating differential of pressure gauges, hygrometers, thermostats and master and submaster regulators.

* * *

Directs the maintenance of swimming pools including the removal and cleaning of filter components and the disinfecting and sanitizing of the pool facility.

Directs snow and ice removal as well as landscape maintenance such as lawn mowing, pruning, and rubbish collection and disposal.

* * *

Qualifications

Required Aptitudes, Knowledges, Skills, and Personal Characteristics:

High degree of mechanical aptitude.

Understanding of electrical, plumbing, power plant, refrigeration, air conditioning, heating and ventilating, and other mechanical systems, equipment, and operations in assigned area of responsibility.

*Technical knowledge of how to operate, maintain, and perform minor repairs of mechanical systems and apparatus commonly used in office and institutional buildings and building complexes.

7. The position standard for the MS 2 classification includes the following language:

Definition:

This is very responsible supervisory maintenance and repair work. Employees in this class direct: 1) the entire maintenance and repair program of a facility with major program emphasis on the mechanical maintenance and repair operation; 2) a segment of a complex physical plant operation, with responsibility for a variety of maintenance and repair activities in areas such as mechanical, automotive and appliances; or 3) the entire mechanical maintenance program including the power plant operation of an institution, such as the Wisconsin School for the Blind. Work is generally performed under the direction of a Superintendent of Buildings and Grounds.

Examples of Work Performed:

* * *

Directs a preventative maintenance program.
Investigates damage and inspects repair.
Supervises repairs made to heating, electrical and mechanical equipment.

* * *

Keeps fire fighting equipment in serviceable condition.
Supervises the maintenance of swimming pools including the removal and cleaning of filter components and the disinfecting and sanitizing of the pool facility.
Directs repairs of power plant equipment.
Plans grounds maintenance and directs landscape operations including limited snow removal and rubbish collection.

* * *

Qualifications

Required Aptitudes, Knowledges, Skills, and Personal Characteristics:

A high degree of mechanical aptitude.

Broad, general understanding of the mechanical principles, equipment and tools, methods and techniques, and terminology used in the operation, maintenance, and repair of the mechanical systems of buildings: power plant and related distributions systems; steam, water, and electrical distribution and sewage disposal systems; and elevators and related equipment.

*Considerable technical knowledge of the operation, maintenance, and minor repair of the mechanical systems and apparatus commonly used in office and institutional buildings and skill in repairing and adjusting the devices which control such systems.

8. Two positions relevant to this case are classified at the MS 1 level:

a. David Coffey is the supervisor for the machine shop in the UW-Madison Physical Plant. Mr. Coffey assists a MS 3 (Mr. Hartl) in the operation of the machine shop, locksmith shop and automotive garage and provides direct supervision to maintenance and repair crews on campus. He supervises 13 employes including 5 Instrument Makers and 6 Mechanics. He has responsibilities for after-hours emergency work.

b. Earl McMahon is a supervisor in the Heating and Air Conditioning Department in the UW-Madison Physical Plant. Mr. McMahon has responsibility for supervising the fuel and ash handling operations and supervising the maintenance and repair of cooling, boiler auxiliary, material handling and automotive equipment at the UW-Madison, Charter Street Heating and Cooling Plant. Mr. McMahon supervises 5 Maintenance Mechanic 2's, 2 Motor Vehicle Operator 2's and 2 Laborers. His specific duties include: Schedule and assign work for subordinate employes; instruct employes on proper and safe work methods, schedule and assign work; supervise maintenance and repair activities related to fuel handling and automotive equipment; supervise boiler, chiller, ash conveyance and auxiliary equipment maintenance and repair; maintain records of coal shipments, fuel oil deliveries, water sampling activity; maintain records of maintenance activity.

9. Three positions have been classified as MS 2 under the first allocation in the MS 2 definition ("entire maintenance and repair program of a facility"):

a. Sidney Goman is the supervisor for Camp Randall Stadium, the Fieldhouse and twelve acres of practice and playing fields on the UW-Madison campus. Mr. Goman supervises a permanent crew of six, a summer crew of fifteen students and up to forty-four total employes for special events. Mr. Goman arranges for repairs of Athletic Department equipment, directs landscape maintenance and snow and ice removal, prepares the facilities for events and maintains athletic team equipment. Mr. Goman does not direct the heating, plumbing, electrical or automotive maintenance and repairs for the facilities.

b. Thomas Otter is the supervisor for the entire technical and custodial maintenance program for the Memorial Union. Mr. Otter's duties include supervising the preventative maintenance program for the Union. In order to supervise technical maintenance, he directs the activities of three maintenance mechanics, one facilities repair worker, an upholsterer, a painter and an assigned physical plant craftsman. Mr. Otter also directs the activities of a Custodial Supervisor 1 and Custodial Supervisor 2 who are responsible for the three shifts of custodial maintenance.

c. Dean Tucker supervises the maintenance of the buildings on the UW-Whitewater campus. Mr. Tucker supervises thirteen full-time and six student employes, including craftworkers. He reports to the Executive Director of General Services.

10. The MS 2 second allocation includes positions held by Jerry Deischer and Lee Loveall in the Heating and Air Conditioning Department at UW-Madison Physical Plant. The Deischer and Loveall positions have identical responsibilities and for reasons of convenience will be referred to below simply as the Loveall position. The Loveall position is classified at the MS 2 level pursuant to the second allocation in the MS 2 definition. Mr. Loveall supervises twelve employes including one Maintenance Mechanic 3 and ten Maintenance Mechanic 2's. Mr. Loveall's subordinates perform primarily preventative maintenance work on large mechanical systems. The work includes identifying heating, ventilating and, to a limited extent, electrical problems and performing minor heating and ventilating repairs that do not require specialized tools. The preventative maintenance includes lubricating equipment, replacing belts, replacing thermostats and adding chemicals to cooling towers. Generally if the repair cannot be made with basic tools like a

wrench and screwdriver or is otherwise not a minor repair, the problem is referred to a craftsperson (e.g. steam fitter or electrician) for correction.

11. Appellant's responsibilities are better described at the MS 2 level than at the MS 1 level, due to the scope of appellant's responsibilities and the number of employes supervised.

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 proving that the respondents' decision not to reclassify the appellant's position from Maintenance Supervisor 1 to Maintenance Supervisor 2 was incorrect.

3. The appellant has not met his burden of proof.

4. The respondent's decision not to reclassify the appellant's position was correct.

OPINION

A review of the classification specifications provide limited assistance in determining the proper classification of the appellant's position. According to the specifications, the MS 1 classification is appropriate when the subordinates perform primarily maintenance, repair and custodial services. It requires performance of a variety of maintenance services in an assigned area of one or more buildings. The work examples and the qualifications language infer that these maintenance services may include preventative maintenance programs, adjusting and calibrating system regulators and inspecting minor repairs to mechanical systems.

The MS 2 classification establishes two allocations that are relevant to this case. The first requires that the employe direct the entire maintenance and repair program of a facility. The second includes employes who direct a

segment of a complex physical plant operation, including the responsibility for a variety of maintenance and repair activities. Two examples given in the specifications for "variety" are 1) mechanical, automotive and appliances and 2) heating, electrical and mechanical.

The appellant does not perform custodial work: this would seem to place him outside the MS 1 specification definition. The appellant does not fit the first MS 2 allocation because he is not in charge of the entire maintenance and repair program for a facility. The appellant's key shop performs only one aspect of the array of repair work but it is performed throughout the Madison campus rather than in just one building or in a complex of buildings. Therefore, the pivotal allocation is the second one. While the key shop is a segment of the UW-Madison physical plant and the UW-Madison physical plant qualifies as a complex operation, the question is whether the appellant has responsibility for a variety of maintenance and repair activities. At least on first analysis, locksmithing appears to have a narrower scope than either 1) mechanical, automotive and appliances or 2) heating, electrical and mechanical.

The parties also compared appellant's position to several positions classified at the MS 1 and 2 levels. One of the comparisons offered by the respondents was to the position occupied by Mr. Coffey. Mr. Coffey's duties are summarized in his position description (Respondent's Exhibit 5) as assisting a MS 3 (Mr. Hartl) in the operation of the Machine Shop, Locksmith Shop and Automotive Garage and providing direct supervision to maintenance and repair crews on campus. Mr. Coffey supervises 13 employees including 5 Instrument Makers and 6 Mechanics 2's. His responsibility extends to after-hours emergency work and there is no craftworker back-up for the type of work performed in the machine shop. Mr. Hartl acts as the assistant shop

supervisor with respect to the Machine Shop, Locksmith Shop and the Automotive Garage.

Mr. Coffey has sought reclassification of his position from MS 1 to MS 2. His request was denied and his appeal is pending before the Commission. Absent some evidence that the determinative factor in respondent's decision to deny Mr. Coffey's request was a comparison to the Critchley position, the Commission will consider the Coffey position in determining the appropriate classification for the Critchley position.

The Coffey and Critchley positions are reasonably similar. While Mr. Coffey has many more subordinate employees, the appellant's position consults for other campuses and agencies. Classification of the Coffey position at the MS 1 level supports classifying the appellant's position at the same level.

A second MS 1 position for comparison is filled by a Mr. McMahon. Mr. McMahon supervises the 9 employees in fuel and ash handling operations and maintenance and repair of cooling, boiler auxiliary, material handling and automotive equipment at the UW-Madison's Charter Street Heating and Cooling Plant.

Mr. McMahon's responsibilities are performed in only one building, the Charter Street plant, but the heat generated by the plant is provided campus-wide. As shown by the existence of steamfitters and other craftworkers elsewhere in the Physical Plant, along with the auto mechanics employed in the Physical Plant Garage, the major repairs for Charter Street plant systems must be performed by others. One distinction between the McMahon and the appellant's positions is that the appellant offers assistance to other UW campuses and state agencies. The appellant's shop also performs all maintenance and repair for locks and safes on the campus regardless of the degree

of difficulty of the repair. However, Mr. Ward has three times as many subordinate employes.

Respondent identified three positions that fall within the first MS 2 allocation which refers to the "entire maintenance and repair program of a facility." As pointed out in finding 10a, Mr. Goman does not supervise the preventative maintenance or repairs of the mechanical systems in the athletic facilities. Respondents contend that Mr. Goman's special events responsibilities and the large number of subordinate employes justifies his classification at the MS 2 level. This points out that the respondents have considered factors beyond those specifically identified in the MS 2 specifications as a justification for classification at that level. In contrast, the Otter and Tucker positions fall squarely within the first allocation in the MS 2 specification and exhibit a range of responsibilities that is substantially broader than these performed by the appellant.

Another comparable in this case is to the Loveall position. Mr. Loveall supervises (as does Mr. Deischer) preventative maintenance and minor repairs for heating and ventilating equipment, and to a very limited extent electrical equipment, on a campus-wide basis. It is clear from the testimony that Mr. Loveall's crew does only the minor repairs of this equipment. The major repairs, including any that require the use of special tools, are made by craftworkers.

The appellant's position, which relates only to locksmithing, is narrower than the Loveall position. In addition, Mr. Loveall supervises many more employes (12) than the appellant. However, these discrepancies are mitigated somewhat by the appellant's state-wide consulting work and by the fact that appellant's crew performs without the benefit of craftworker back up for major repairs. As noted above, the specifications provide very limited

assistance in reaching a conclusion in this matter. Comparison positions are also somewhat split in supporting classification at either the 1 or 2 level. The best comparison is the Coffey position at the 1 level. The Loveall position at the 2 level is also a reasonably close comparison. When all of the comparisons are weighed, the appellant simply has not shown that the decision to classify him at the MS 1 level is incorrect. A large factor in this conclusion is the relative size of the locksmith operation and the number of subordinate employes. It is also clear that the appellant's position is much narrower in scope than the Otter and Tucker positions at the 2 level.

For the above reasons, the Commission finds that the appellant's position is better classified at the MS 1 level than at the MS 2 level.

Frequently during the course of the hearing in this matter, the appellant referred to the fact that his current MS 1 classification is a counter-part pay range to that of the Locksmith 3 positions he supervises. In fact, since their reclassifications in 1985, all three of the Locksmith 3's have received a higher wage than the appellant due to their length of service.^{FN} This pay disparity does not serve as a justification for reclassifying the appellant's position. The pay levels of subordinate positions do not set a classification minimum for a supervisory position.

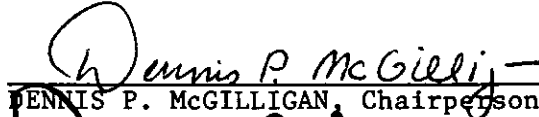
ORDER

The respondent's decision that found that the appellant's position is

^{FN} Exhibit 17 shows, however, that the two pay ranges are comparable, but not identical. The maximum pay for a Locksmith 3 in pay range C-10 is \$10.992 per hour while the maximum for a MS 1 in pay range A-10 is \$11.832 per hour.

more appropriately classified at the Maintenance Supervisor 1 level than the Maintenance Supervisor 2 level is affirmed and this matter is dismissed.

Dated: January 8, 1987 STATE PERSONNEL COMMISSION


DENNIS P. MCGILLIGAN, Chairperson


DONALD R. MURPHY, Commissioner


LAURIE R. MCCALLUM, Commissioner

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