

STATE OF WISCONSIN

PERSONNEL COMMISSION

\* \* \* \* \*

KAREN L. DOMBROWSKI, \*

Appellant, \*

v. \*

President, UNIVERSITY OF \*

WISCONSIN SYSTEM (Stevens \*

Point), and Secretary, \*

DEPARTMENT OF EMPLOYMENT \*

RELATIONS, \*

Respondents. \*

Case No. 88-0054-PC \*

\* \* \* \* \*

DECISION  
AND  
ORDER

NATURE OF THE CASE

This is an appeal of a decision to deny appellant's request for the reclassification of her position. A hearing was held on August 25, 1988, before Laurie R. McCallum, Chairperson.

FINDINGS OF FACT

1. At all times relevant to this matter, appellant has been employed as a Program Assistant 1 in the Office of Protective Services at UW-Stevens Point.

2. In April of 1986, appellant requested the reclassification of her position from Program Assistant 1 (PA 1) to Program Assistant 2 (PA 2). At that time, appellant's position had the following assigned duties and responsibilities:

30% Managing the employment of 12-15 student dispatchers, including hiring, training, scheduling, and supervising.

45% Coordination of office operations, including developing office procedures, assisting in the development of office policies, processing requisitions, routing work orders, maintaining/revising forms, assisting with budget

development, coordinating services with other offices on campus, preparing statistical and other reports, maintaining records and coordinating annual and semi-annual fire drills.

15% Maintenance of security records, including preparation and transmission of incident reports and participation in development of computerized record-keeping system.

10% Handling of most unusual incidents and/or complaints in the absence of Director of the Office of Protective Services.

3. Appellant's April, 1986, request for the reclassification of her position was denied by respondent UW in a memorandum dated October 8, 1986. Such memo included the following language:

In June of 1983, Ms. Dombrowski's position was reclassified from the Typist to the Program Assistant 1 classification level....

Since that time, some additional changes have occurred. The changes primarily stem from a departmental reorganization which resulted in the elimination of two Security Supervisor positions. Both Ms. Dombrowski and her supervisor, Mr. Burling, were required to assume duties previously performed by these two positions. The new/and or expanded duties assumed by Ms. Dombrowski include the following:

1. Complete responsibility for hiring, training, scheduling and supervising the student employes. Previously, she only assisted the Security Supervisor 1 in performing these functions.
2. Assumed responsibility for scheduling periodic fire drills.
3. Increased involvement in budget development, and taking information relating to incident reports.
4. General increase in the level of independence based on the fact that she is the sole person in the office a great deal of the time.

4. Appellant did not appeal the 1986 denial of her request for the reclassification of her position.

5. On or around December of 1987, appellant filed another request for the reclassification of her position from PA 1 to PA 2. The position description accompanying such request is nearly identical to that accompanying the 1986 request except for:

A. The addition of the following duties which account for 10% or less of appellant's position's time:

Assists Director with administration of UW System Reward Program.

Plans and schedules ongoing safety training programs such as First Aid and CPR.

Hires instructors, collects enrollment fees and pays instructors and other expenses related to training sessions.

Assists Director in scheduling inspections of buildings by the Stevens Point Fire Department and contacts departments to report violations and to plan corrective action.

Assists Director in coordination of correction of unsafe conditions found on campus during safety inspections.

Acts as recording secretary for Environmental Health and Safety Committee. Maintains pending file of actions of the committee and follows up on action items.

B. The following changes in the time percentages assigned to certain duties and responsibilities:

20% Managing the employment of 12-15 student dispatchers

50% Coordination of office operations

15% Handling of most unusual incidents or complaints in the absence of the Director of the Office of Protective Services.

15% Maintenance of security records

The position standard for the Program Assistant series provides as follows, in pertinent part:

PROGRAM ASSISTANT 1

This is work of moderate difficulty providing program support assistance to supervisory, professional or administrative staff. Positions allocated to this level serve as the principal support staff within a specific defined program or a significant segment of a program. Positions at this level are distinguished from the Clerical Assistant 2 level by their identified accountability for the implementation and consequences of program activities over which they have decision-making control. Therefore, although the actual tasks performed at his level may in many respects be similar to those performed at the Clerical Assistant 2 level, the greater variety, scope and complexity of

the problem-solving, the greater independence of action, and the greater degree of personal or procedural control over the program activities differentiates the Program Assistant functions. The degree of programmatic accountability and involvement is measured on the basis of the size and scope of the area impacted by the decision and the consequence of error in making such decisions, which increases with each successive level in the Program Assistant series. Work is performed under general supervision.

#### PROGRAM ASSISTANT 2

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 1 - WORK EXAMPLES

Plans, assigns and guides the activities of a unit engaged in specialized clerical duties.

Serves as acknowledged expert who resolves the most difficult problems of a complex clerical nature.

Performs most intricate clerical operations, processing documents and performing other clerical operations where comprehensive knowledge of legislation, or organization is required.

Sets-up, maintains detailed budget ledgers posting debits and credits, issuing credits and refunds, and generally insures all records are accurate and up-to-date.

Purchases and requisitions supplies, including capitol purchases and services, and follows up to insure merchandise or services are received and priced accurately.

Gathers and organizes information into summary reports, as assigned.

Maintains department or program schedule.

Develops and revises operating procedures affecting the immediate work unit.

Composes and types correspondence, requiring knowledge of departmental operations and regulations, which may not be reviewed by a superior.

Counsels and assists the public when applying for services provided by the program assigned, and may interview applicants to determine eligibility for program benefits and/or services.

PROGRAM ASSISTANT 2 - WORK EXAMPLES

Provides administrative assistance to supervisory, professional and administrative staff, head of a department or program.

Schedules department facilities usage.

Maintains inventory and related records and/or reports and orders supplies.

Conducts special projects: analyzes, assembles, or obtains information.

Maintains liaison between various groups, both public and private.

Directs public information activities and coordinates public or community relations activities.

Prepares budget estimates, plans office operations, controls bookkeeping functions and handles personnel transactions.

Plans, assigns and guides the activities of subordinate employees engaged in clerical program support work.

Corresponds with various outside vendors or agencies to procure goods or information for program operation.

Develops and recommends policies, procedures, guidelines and institutions to improve administrative or operating effectiveness.

Screens and/or reviews publications; drafts or rewrites communications; makes arrangements for meetings and maintains agendas and reports; arranges schedules to meet deadlines.

Maintains extensive contact with other operating units within the department, between departments or with the general public in a coordinative or informative capacity on a variety of matters.

Prepares informational materials and publications for unit involved, and arranges for distribution of completed items.

Attends meetings, work shops, seminars.

7. The following PA 1 positions were offered and received into the record for comparison purposes:

A. Barbara Pond -- Office of Safety and Security, UW-Eau Claire. This position supervises, trains, schedules, and makes recommendations to hire subordinate clerical staff; supervises the collection and processing of payments for fines, parking, citations, licenses; maintains financial records and prepares monthly and annual criminal and non-criminal activities reports and annual Workers'

Compensation reports; drafts office policies and procedures, correspondence, and forms; types; receives and routes or personally resolves requests for information and complaints; coordinates telephone and radio communications; maintains and investigates employe accident and illness reports for Workers' Compensation; and performs general office duties including developing and revising office procedures, developing and maintaining filing systems, processing supplies and materials, and authorizing use of university vehicles.

B. Joan Niquette -- Safety and Security Office, UW-Green Bay. This position coordinates the Workers' Compensation Program at UW-Green Bay which includes preparing accident reports, documenting reported accidents, interviewing claimants and others involved with a claim, compiling data for annual OSHA report, maintaining files, and maintaining contact with injured employes; coordinates telephone and radio communications which includes coordinating and directing security staff and other administrative and support divisions in the event of an emergency and training student radio operators; manages the building key program; assists in the preparation of, maintains, and monitors office budget, prepares financial reports and prepares requisitions; prepares and distributes incident reports; coordinates on-going safety programs; and performs other clerical support duties.

8. In a memorandum dated April 12, 1988, respondent UW denied appellant's request for the reclassification of her position. Appellant filed a timely appeal of such denial with the Personnel Commission.

9. The duties and responsibilities of appellant's position are better described by the PA 1 class specifications than the PA 2 class specifications and are comparable to the duties and responsibilities of the

PA 1 positions offered for comparison purposes in the hearing record and described in Finding of Fact 7, above.

CONCLUSIONS OF LAW

1. The Personnel Commission has jurisdiction of this matter pursuant to §230.44(1)(b), Stats.

2. The appellant has the burden to prove that respondents' denial of her request for the reclassification of her position from PA 1 to PA 2 was incorrect and that her position is more appropriately classified as a PA 2.

3. Appellant has not sustained her burden of proof.

4. Respondent's denial of the subject reclassification request was correct and appellant's position is more appropriately classified as a PA 1.

DECISION

Section ER 3.01(3), Wis. Adm. Code, provides:

(3) RECLASSIFICATION. "Reclassification" means the assignment of a filled position to a different class by the secretary as provided in s.230.09(2), Stats., based upon a logical and gradual change to the duties or responsibilities of a position or the attainment of specified education or experience by the incumbent.

Respondent argues that no logical and gradual change occurred in the duties and responsibilities of appellant's position within the meaning of this rule. However, the record clearly indicates (see Finding of Fact 5, above) that certain duties and responsibilities were added logically and gradually to appellant's position between April, 1986, and June, 1987. Although respondent argues by implication that the changes which occurred were not substantial enough, i.e., did not consume a large enough percentage of appellant's position's time, to constitute "change" within the meaning of §ER 3.01(3), Wis. Adm. Code, the Commission finds that any degree of change can satisfy §ER 3.01(3), Wis. Adm. Code, as long as it

results in sufficient "strengthening" of a position as to elevate it from one classification level to another.

Such "strengthening" did not occur here. The duties and responsibilities added to appellant's position are PA 1 level duties, i.e., involve the performance of clerical support and program support duties within clearly established policies/procedures and guidelines. There is no evidence in the record from which it is possible to conclude that such additional duties and responsibilities are PA 2 level duties; i.e., require an independent search for solutions which will have a significant impact on the program from a variety of diverse alternatives rather than from clearly established policies/procedures and guidelines. These new duties appear to involve the same type of scheduling, record-keeping, account maintenance, and assisting duties which had constituted the majority of appellant's position's duties in April, 1986. The record does not indicate that these new duties involve the type of independent decision-making necessary for classification at the PA 2 level.

The next question is that regarding the proper classification of appellant's position viewed as a whole. The clear majority of appellant's duties and responsibilities involve the performance of clerical support tasks and program support tasks using clearly established policies/procedures and guidelines, i.e., duties and responsibilities more typical of the PA 1 level. These include all of those duties and responsibilities described in Finding of Fact 2, above, as coordination of office operations and as maintenance of security records and all of those duties and responsibilities described in Finding of Fact 5.

Appellant does perform some duties and responsibilities requiring an independent search for solutions which will have a significant impact on the program from a variety of diverse alternatives rather than from clearly



established policies and procedures, i.e., duties and responsibilities more typical of the PA 2 level. These include some but not all of the duties and responsibilities described in Finding of Fact 2, above, as managing the employment of 12-15 student dispatchers and as handling of most unusual incidents or complaints in the absence of the Director of the Office of Protective Services. For example, serving as back-up to the Director in resolving non-routine complaints or handling non-routine emergencies is a PA 2 or higher level responsibility. Having independent authority to hire, review the performance of, discipline, or terminate students hired as dispatchers is a PA 2 or higher level responsibility. Both of these responsibilities involve independent decision-making for which there is no clearly established policies/procedures or guidelines and significant impact on the program. Since these higher-level duties, however, consume much less than 50% of appellant's position's time, the Personnel Commission concludes that the duties and responsibilities of appellant's position are better described by the class specifications for the PA 1 classification.

Since the language of the PA position standard is very general and deals primarily in relative strengths rather than absolutes, it is useful to review other PA positions as well as the language of the position standard. The duties and responsibilities of the Barbara Pond and Joan Niquette positions described in Finding of Fact 7, above, appear to be closely comparable to those of appellant's position. Although appellant's position appears to have greater independence in regard to the hiring and supervising of subordinate staff, this appears to be more than counterbalanced by the Pond and Niquette positions' responsibility for a greater variety of program areas, including Workers' Compensation and fee payments in the case of the Pond position and Worker's Compensation and


building keys in the case of the Niquette position; and for independent investigative Workers' Compensation area for both positions.

The Personnel Commission concludes that appellant's position is more appropriately classified at the PA 1 level.

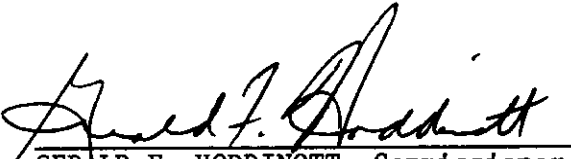
ORDER

This appeal is dismissed.

Dated: November 30, 1988 STATE PERSONNEL COMMISSION

  
LAURIE R. McCALLUM, Chairperson

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GERALD F. HODDINOTT, Commissioner

Parties:

Karen L. Dombrowski  
Protective Services  
UW-Stevens Point  
Stevens Point, WI 54481

Kenneth Shaw  
President, UW  
1700 Van Hise Hall  
1220 Linden Drive  
Madison, WI 53706

Constance P. Beck  
Secretary, DER  
P. O. Box 7855  
Madison, WI 53707