

* * * * *

JOHN GOSZ,

Appellant,

v.

Secretary, DEPARTMENT OF
EMPLOYMENT RELATIONS,

Respondent.

Case No. 90-0192-PC

* * * * *

*

*

*

*

*

*

*

*

*

*

*

*

DECISION
AND
ORDER

This is an appeal of a decision by the Department of Employment Relations (DER) to reallocate the position of John Gosz, a University of Wisconsin-Stevens Point employe, to Media Technician 2 (Communication Arts) instead of Media Technician 3 (Television Operations/Maintenance). The appeal was filed under §230.44(1)(b), Wis. Stats.

FINDING OF FACT

1. In 1989, appellant, John Gosz was hired into state classified civil service as a media technician at the University of Wisconsin-Stevens Point.
2. His position, along with others, was reallocated from Television Broadcast Technician 3 to Media Technician 2 (MT 2) effective April 8, 1990.
3. At the time of reallocation, Gosz's duties and percentages of time designated were described as:

- 80% A. Maintenance, repair and operation of color broadcast television production equipment.
 - A1. Maintain unit's master control equipment.
 - A2. Service and maintain television production equipment, including state of the art computerized broadcast dynamic tracking videotape recorders, video color cameras, portable broadcast videotape records, broadcast videotape editors, audio and video control rooms involving maintenance of audio boards, special effects switchers, routers, ITFS studio control room and STL system and other associated equipment. Troubleshoot down to component level.

- A3. Serve as the technician responsible for providing maintenance and operation of the unit's broadcast mobile television production unit for remote productions.
 - A4. Under direction, adjust, maintain, and repair digital equipment such as computerized graphics generators, microprocessor controlled circuits, digital editing controls and digital time base correctors.
 - A5. Make recommendations for new equipment selection to department and Student Video Operations. Insure quality durability, and compatibility with existing equipment.
 - A6. Under direction, construct interfaces between existing equipment and newly purchased equipment as needed.
- 15% B. Preventative maintenance program on all types of production and broadcast equipment.
- B1. Conduct a preventive maintenance program to insure high quality performance of production and transmission equipment for broadcast service.
 - B2. Maintain signal quality on campus cable signal distribution system.
 - B3. Maintain signal quality of broadcasts from UWSP to Jones Intercable system for distribution on the Stevens Point cable system.
- 3% C. Serve as the technical supervisor in the absence of the senior technician. Serve as operations engineer when required.
- 2% C. Engineer in electronic field productions.

4. Appellant's unit supervisor was Ronald Weseloh, Director, Telecommunications.

5. The Telecommunications unit consisted of a twelve member staff, including three Media Technicians.

6. The lead Media Technician was Roy Kuschel, the Chief Engineer, who was an MT 3. The other technician, like Gosz, was an MT 2.

7. The primary function of the UW-SP Telecommunications unit was to provide technical support to its educational departments and some outreach to the community.

8. The Media Technician classification specification contains the following definitions as relevant to MT 2 and MT 3 positions:

MEDIA TECHNICIAN 2

This is either experienced entry, progression (developmental) or objective level work depending upon the area of specialization which describes the position.

MAINTENANCE:

* * *

Television Operations/Maintenance - Positions are allocated to this class as experience entry or progression level. Work is performed under close supervision.

COMMUNICATIONS ARTS:

Positions are allocated to this class as objective (full performance) level. Work is performed under general supervision.

MEDIA TECHNICIAN 3

This is either objective or advanced level work depending upon the area of specialization.

COMMUNICATION ARTS:

Positions are allocated to this class as advance level and typically function as the senior technician differentiated from the lower level technical positions by the scope and complexity of the systems for which they are directly responsible and the increased independence of action.

MAINTENANCE:

Television Operations/Maintenance: Positions are allocated to this class as an objective (full performance) level and are responsible for performing a full range of operation and/or maintenance duties. Additional duties include the modification, design and construction of electronic equipment used for, or in conjunction with, television production and transmission. Work is performed under general supervision.

* * *

F. DEFINITIONS OF AREAS OF SPECIALIZATION

1. Communication Arts

UW Comprehensive Institutions & WHA TV: Responsible for providing technical support to educational departments. This includes installation and maintenance on the following equipment 1) television studio and field production equipment, 2) all types of radio, television and

film equipment. These positions also operate studio television equipment for production of television instructional programs and instruct clients on the use of this equipment. These positions may also produce instructional programming for classroom use.

2. Maintenance

* * *

TV Operations/Maintenance: Responsible for installing, repairing, maintaining and/or operating broadcast television equipment associated with TV production and transmission. Additional duties may include the modification, design, and construction of electronic equipment used for, or in conjunction with, television production and transmission. Satellite, fiber optics and other technologies may be employed but are normally not a major part of these positions. Also included in this allocation is the chief maintenance engineer for the closed circuit television and campus radio station at UW comprehensive institutions.

9. Appellant's position is not comparable to MT 3 positions at UW-Extension, i.e. WHA-TV, because these positions primarily provide technical support for the operation and maintenance of TV broadcast and production facilities; and function as senior technicians.

10. Appellant's position is most closely described by the Communication Arts area of specialization, as it identifies positions, which primarily provides technical support for educational instruction with limited TV broadcasting and do not function as senior engineer.

11. Appellant's position is better described by the MT 2 classification than by the MT 3 classification.

CONCLUSIONS OF LAW

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

2. Appellant has the burden of proving by a preponderance of the evidence facts necessary show respondent erred in reallocating his position from TBT 3 to MT 2 instead of MT 3.

3. Appellant has failed to sustain his burden of proof.

4. Respondent's decision was not in error. Appellant's position was more appropriately reallocated to MT 2.

OPINION

Appellant contends his position should be classified as a Media Technician 3 (Television Operations/Maintenance). He argues that his position is similar to Media Technician 3 positions at WHA-TV. In support, appellant submitted five exhibits of position descriptions of MT 3 positions at WHA-TV and elicited the testimony of his unit supervisor Ronald Weseloh. Weseloh confirmed the accuracy of appellant's position description and testified that TV equipment used at UW-SP was similar to that employed at WHA-TV.

In response respondent contends appellant's position is more appropriately classified as a MT 2 (Communication Arts).

Respondent's witnesses, Linda Minash, Personnel Specialist 6, Division of Classification and Compensation testified she coordinated a survey of communication-related positions in several state agencies, including UW System. She testified that she performed an on-site audit of the Telecommunication unit at UW-SP. It was her opinion appellant's position lacked the scope and complexity, area of impact, and responsibility and accountability necessary for classification to the MT 3 level and found in MT 3 positions at UW-Extension (WHA-TV). She also testified that broadcast and production equipment at WHA-TV and UW-SP were not comparable.

Respondent also presented Larry Dokken, Personnel Manager and Budget Officer for the Education Communication Board. Dokken was a member of the survey work group. Dokken testified ECB was formed in 1971 to construct a state public TV network. At that time, WHA was already in existence and licensed to the UW Board of Regents. ECB became affiliated with WHA and it provided most of ECB's productions. In essence WHA is the production studio for ECB, which broadcasts statewide by microwave to its other five stations around the state. In turn, these stations rebroadcast to their own coverage areas. ECB holds the broadcast license for all state public TV stations except WHA-TV, Madison and Channel 36, Milwaukee.

The Telecommunication unit at UW-SP does not broadcast. It has a production capacity. The mission of the Telecommunications unit is to provide and maintain TV production facilities for instructional use by its Communication Arts department, provide technical support to the campus, as an entity, and provide outreach to the local community. Approximately ten

percent of its total capacity is devoted to work for use by ECB. In this setting appellant works as a Media Technician. He is responsible for the maintenance, repair and operation of broadcast television production equipment. He functions at the objective level and under general supervision.

Positions at the objective (full performance) level working under general supervision may be allocated to the MT 2 level, if in the "Communication Arts" area of specialization and to the MT 3 level, if in the area of specialization called "Television Operation/Maintenance."

The classification specifications describe "Television Operations/Maintenance" in brief as:

Responsible for installing, repairing, maintaining and/or operating broadcast, television equipment associated with TV production and transmission.

The class specifications define, in pertinent part, Communications Arts as:

Responsible for providing technical support to educational departments. This includes installation and maintenance on the following equipment: 1) television studio and field production equipment, 2) all types of radio, television and film equipment.

The clear evidence establishes that appellant works a full performance Media Technician in a unit, whose mission is to serve the academic departments of UW-SP. This unit engages in limited production and no broadcasting. It disseminates its productions through a process called distribution, which employs closed circuits, narrow casting and video tapes. Therefore, although appellant is involved in some activities listed in the Television Operations/Maintenance area of specialization, his work primarily is in connection with providing TV production services to academic departments at UW-SP and local communities.

Also, appellant's position cannot be compared successfully with MT 3 positions at UW-Extension when juxtaposed with the general classification factors of responsibility/accountability, scope and complexity contained in the classification specifications. The UW-Extension MT 3 positions at WHA-TV are assigned to the production unit for ECB. Clearly, these MT 3 positions are involved with TV production, which is greater in scope, impact and consequence of error than experienced by appellant.

It is the belief of the Commission for the reasons stated, appellant's position, which involves some activities described in the TV Operations/Maintenance area of specialization is more appropriately designated as a full performance position in the Communication Arts area.

ORDER

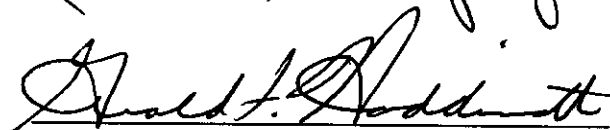
Respondent's action reallocating appellant's position from Television Broadcast Technician 3 to Media Technician 2 is affirmed and this appeal is dismissed.

Dated: May 29, 1991 STATE PERSONNEL COMMISSION


LAURIE R. McCALLUM, Chairperson

DRM/gdt/2


DONALD R. MURPHY, Commissioner


GERALD F. HODDINOTT, Commissioner

Parties:

John Gosz
UW Stevens Point
Univ Telecommunication Dept
Stevens Point WI 54481

Jon E. Litscher
Secretary, DER
137 East Wilson Street
P.O. Box 7855
Madison, WI 53707