

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

JULIE R. KISELY, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION,
DIVISION OF PERSONNEL MANAGEMENT, Respondent.

Case ID: 315.0028

Case Type: PA

DECISION NO. 40884

Appearances:

Julie R. Kisely, 326 Second Street, Brooklyn, Wisconsin, appearing on her own behalf.

Peter C. Flood, Executive Human Resources Specialist-Advanced, Division of Personnel Management, 101 East Wilson Street, Madison, Wisconsin, appearing on behalf of the State of Wisconsin Department of Administration.

DECISION AND ORDER

On June 19, 2024, Julie Kisely filed an appeal with the Wisconsin Employment Relations Commission asserting that the State of Wisconsin Department of Administration (DOA), Division of Personnel Management (DPM), had wrongly denied her request that she be reclassified from an IS Business Automation Senior to an IS Business Automation Specialist. A hearing was held in Madison, Wisconsin, on December 16, 2024, by Commission Examiner Anfin J. Wise. The parties filed post hearing argument on February 7, 2025. On February 21, 2025, Ms. Kisely indicated that she would not be filing a response to the Department's post-hearing brief. On March 3, 2025, DOA informed the Commission that it did not intend to file a response to the Appellant's post-hearing brief.

On May 6, 2025, Examiner Wise issued a Proposed Decision affirming the denial of Kisely's reclassification request and dismissed her appeal. On June 5, 2025, the Respondent filed a Partial Objection to the Proposed Decision. Kisely did not file a response to the Objections, and the matter became ripe for Commission consideration on June 17, 2025.

Having considered the matter, the Commission makes and issues the following:

FINDINGS OF FACT

1. Julie R. Kisely (Kisely) was employed as an IS Business Automation Senior by the State of Wisconsin Department of Natural Resources (DNR), Bureau of Technology Services, in Madison, Wisconsin.¹
2. Kisely's position was assigned new duties following a reorganization.
3. Kisely's new duties meant her job changed by 63.26%.
4. The 63.26% change was not gradual.

Based on the above and foregoing Findings of Fact, the Commission makes and issues the following:

CONCLUSIONS OF LAW

1. Kisely was not eligible for reclassification because the changes in her duties were not gradual.
2. Kisely was not eligible for reallocation because of the 63.26% change of duties or responsibilities.
3. Kisely was not eligible to be regraded.
4. The Department of Administration, Division of Personnel Management, correctly denied Kisely's request that she be reclassified, reallocated, or regraded from IS Business Automation Senior to an IS Business Automation Specialist.

Based on the above and foregoing Findings of Fact and Conclusions of Law, the Commission makes and issues the following:

ORDER

The appeal filed by Julie R. Kisely is dismissed.

Issued at Madison, Wisconsin, this 22nd day of December 2025.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Peter G. Davis, Chairman

¹ Kisely resigned from her position as an IS Business Automation Senior, the subject of the instant appeal, on August 15, 2024. She subsequently accepted a new position as an IS Business Automation Specialist after a competitive examination.

MEMORANDUM ACCOMPANYING DECISION AND ORDER

The question raised by the Kisely appeal is best framed as:

Was the State of Wisconsin, Department of Administration, Division of Personnel Management correct when it denied Kisely's request that she be reclassified, reallocated, or regraded from IS Business Automation Senior to an IS Business Automation Specialist?

Kisely was hired as an IS Business Automation Senior in DNR's Bureau of Technology Services, External Services Division, on November 21, 2021. Effective June 22, 2022, there was a reorganization and centralization of DNR IT positions. There was a change in her duties following the reorganization. Kisely signed a new position description on April 18, 2023. On August 9, 2023, Kisely's supervisor, Andrew Boettcher, submitted a request to have Kisely's position reviewed and reclassified from an IS Business Automation (ISBA) Senior to an IS Business Automation (ISBA) Specialist. The request was later modified to a possible reallocation.

Wisconsin Admin. Code § ER 3.01(3) defines a reclassification as the assignment of a filled position to a different class by the administrator as provided in s. 230.09(2), Stats., based upon a logical and gradual change to the duties or responsibilities of a position.

Wisconsin Admin. Code § ER 3.01(2) defines a reallocation as, the assignment of a position to a different class by the administrator as provided in s. 230.09(2), Stats., based upon, in relevant part, a logical change in the duties and responsibilities of a position.

The first question to be answered is whether Kisely was eligible for reclassification. The answer is no.

The record established that Kisely was ineligible for reclassification because the changes in her duties were not "gradual." According to the WHRH § 370.060, changes are not gradual if they occur abruptly resulting from a reorganization or occur over a period of less than six months. Reallocation can occur when an abrupt change happens, however, the change in duties of the position must be less than 50%. If more than 50% of the duties or responsibilities of a position have changed since the positions were last formally reviewed for classification purposes, the changes are not considered logical changes to a position but are the creation of a new position. See § 370.060.3.(a)(3).

Thus, the next question to be answered is whether Kisely was eligible for reallocation. The answer is no. When comparing Kisely's old position description from November 2021 with the new position description signed in April 2023, there was 63.26% change at the new classification level. Specifically:

2023 Position Description (PD) - Goal A:

- The following tasks from the 2023 PD align with tasks from the 2021 PD: A1, A2, A6, A7, A8, A11, and A16.
 - A1 and A2 are similar to B1 and B2 from the 2021 PD, analyzing requirements and finding efficiencies.
 - A6 is similar to the previous PD's task B4, which involves resolving issues.

- A7 is similar to the old PD's task A2 which involves improvement efforts.
- A8 discusses clear communications for the client and partners which aligns with the previous task B5.
- A11 aligns with previous task B4 related to managing priorities.
- A16 relates to the old task A7 and B7, providing documentation and training.
- The following tasks from the 2023 PD are new: A3, A4, A5, A9, A10, A12, A13, A14, A15
 - A3, A4, A5, and A10 are directly performing project management tasks including developing timelines, identifying project roles and responsibilities, as well as tracking resources and budgets. The 2021 PD discusses a variety of project management related tasks however it specifies that the position is "helping" "drafting" and "assisting" with the tasks versus executing those tasks. Kisely confirmed in the audit that project management duties were added on with this new position description.
 - A9 is a new task as the previous role was not involved in the facilitation of risk identification.
 - A12 is a new task, identifying issues at an agency wide level was not included in the previous PD.
 - A13 involves the "leadership" of project management which is more involved than the previous position.
 - A14 is new, this position did not previously track project financials or review budget codes.
 - A15 is new, the supervisor confirmed that the DNR IT Project Backlog and Roadmap did not exist previously, therefore this is a new task.

Goal A represents 45% of the duties of the position. Since there are 16 tasks included in Goal A, the position spends approximately 2.8% of the time on each of these tasks. Nine of the tasks in Goal A are new, therefore 25.31% of Goal A is a change from the previous PD.

2023 Position Description (PD) - Goal B:

- The following tasks from the 2023 PD align with tasks from the 2021 PD: B1, B2, B3, and B13.
 - B1 and B2 relate to old task D1, representing business needs on committees.
 - B3 is similar to D2, participating in committees and attending program meetings.
 - B13 relates to old task C1, which involved identifying security roles.
- The following tasks from the 2023 PD are new: B4, B5, B6, B7, B8, B9, B10, B11, and B12.
 - B4 and B6 involve leading meetings with managers to discuss issues impacting projects and business needs. This was not performed previously. The role did not lead meetings they participated in committees.
 - B5 involves project management work which is new to the position.
 - B7, B8 has a statewide focus, the 2021 PD did not discuss a statewide focus for this work.

- B9 involves providing feedback on IT documents, the role previously developed these documents where the new task is providing critical feedback on them.
- B10, B11 and B12 involve providing guidance to DNR leadership and consulting with program representatives. This is a higher-level duty that was not described in the 2021 PD.

Goal B is 30% of the job. There are 13 tasks, therefore each task takes approximately 2.3% of the position's time. Nine of the tasks are new resulting in a 20.77% change from the previous PD.

2023 Position Description (PD) - Goal C:

- The following tasks from the 2023 PD align with tasks from the 2021 PD: C5, C6, C9, C12.
 - C5, interviewing staff to determine business needs, is similar to A1 on the old PD which describes analyzing business requirements to meet customer needs.
 - C6 aligns with B2 which includes system testing.
 - C9 and C12 are similar to A7 which involves the creation of documents that describe application processes.
- The following tasks are new: C1, C2, C3, C4, C7, C8, C10, C11, and C13.
 - C1 completing (sometimes confidential) analysis was not discussed on the previous PD.
 - C2 the role previously did not develop justification use cases or comparative analysis; therefore, this task is new.
 - C3 involves advising leadership which was not discussed in the 2021 PD.
 - C4, C10 and C11 involve design of user interfaces and software components. Design was not a part of the 2021 PD.
 - C7 involves project management work which is new to the position.
 - C8 describes developing and documenting system designs which differs from the work related to system designs on the 2021 PD.

Goal C is 20% of the work duties for the position. There are 13 tasks which indicate that each task is approximately 1.5% of the work time. Nine of the tasks are new, which results in a 13.85% change from the previous PD.

2023 Position Description (PD) - Goal D:

- The following tasks align with tasks from the 2021 PD: D2 (aligns with D1 from 2021 PD).
- The following tasks are new: D1, D3, these tasks related to training were not previously performed.

There are three tasks in Goal D, making up 5% of the PD, and two are new. This results in 3.33% change from the previous PD.

Because of the 63.26% change of duties or responsibilities, Kisely was not eligible for reallocation. Kisely's position after the reorganization was considered a new position. Change in

excess of 50% requires competition to fill the position, as required by WHRH Chapter 370, § 370.060.4(a)(3).

The next question is whether Kisely can be regraded from ISBA Senior to ISBA Specialist. The answer is no.

Wisconsin Admin. Code § ER 3.01(4) defines a “regrade” as the determination of the administrator under s. 230.09(2)(d), Stats., that the incumbent of a filled position which has been reallocated or reclassified should remain in the position without opening the position to other candidates. Here, the record established that the Administrator of the Division of Personnel Management properly exercised its authority to determine that the position should be filled by competitive examination and not regraded.

In light of the foregoing, Kisely’s appeal is dismissed.

Issued at Madison, Wisconsin, this 22nd day of December 2025.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Peter G. Davis, Chairman