

**ROBERT DeWITT,**

**Grievant,**

**v.**

**DOCKET NO. 94-MBOT-1012**

**BOARD OF TRUSTEES,**

**WEST VIRGINIA UNIVERSITY,**

**Respondent.**

### **DECISION**

This is a grievance by Robert DeWitt (Grievant) challenging his classification, effective January 1, 1994, as a Supervisor Electronics Shop, Pay Grade 16, by the Board of Trustees, West Virginia University (Respondent), under the Job Evaluation Plan (JEP) for the State College and University Systems of West Virginia developed by William M. Mercer, Inc. This grievance was initiated in August of 1994 in accordance with specific procedures established in Section 18 of the Legislative Rule for Personnel Administration promulgated by the University System of West Virginia Board of Trustees on May 5, 1994. 128 C.S.R. 62. In October 1994, Respondent waived this grievance to Level IV.

[\(See footnote 1\)](#)

A Level IV evidentiary hearing was conducted at the Grievance Board's office in Morgantown, West Virginia, on May 8, 1996. This matter became mature for decision at the close of the deadline for written post-hearing submissions on May 22, 1996. Neither party filed post-hearing submissions.

Grievant seeks to be classified as a Supervisor Electronics Shop, Pay Grade 17, effective January 1, 1994. Grievant asserts he was not correctly evaluated on two of thirteen factors in the JEP's "Point Factor Methodology." Grievant's "Statement of Grievance" states:

The Supervisor Electronics Shop position at the PRT has been assigned to a pay grade 16. This position requires a minimum four year college degree in Electronics and six years experience in order to be appointed to this position (refer to PIQ form attached).

The three other Supervisor/PRT Maintenance positions have also been assigned a pay grade 16. These positions do not require a degree of any kind. While they supervise some Electronics Technicians on other shifts (where the Electronics Supervisor is not scheduled) they are not knowledgeable or responsible for the detailed electronic repairs and troubleshooting of the PRT as the Electronic Supervisor is.

One of the primary goals/objectives/job evaluation factors of the Mercer Study is knowledge. Why work to receive a college education if the Mercer Study does not recognize or compensate a position requiring that knowledge and education? Where is the fairness in that? The Project Oversight Committee is recommending a market need for more competitive salaries for employees with particular expertise and knowledge.

A recent review of all PRT Maintenance positions by classification and compensation just prior to the Mercer Study assigned the Supervisor/Electronics Shop one pay grade higher than the other Supervisor/PRT Maintenance positions.

I cannot compare this position to another Supervisor/Electronics Shop position in the state because that information has not been made available to me. Another position/title like this would not compare to the complexity, problem solving, and knowledge/educational requirements of the PRT, a highly unique and fully automated system of its kind in the world.

The process under which Grievant was reclassified began with completion of a Position Information Questionnaire (PIQ). PIQs are highly-structured documents, seventeen pages in length, on which individual employees describe the duties of their position, as well as certain minimum qualifications required to carry out their duties. PIQs are essentially position descriptions that were primarily developed to facilitate the job evaluation process. Employees were asked to rate various aspects of their position, under a scale set forth in the JEP. The mechanics of the JEP are generally referred to as the "Point Factor Methodology." PIQs were reviewed by the immediate supervisor and one level of management above the immediate supervisor, before being considered by the Job Evaluation Committee (JEC). The JEC consists of representatives from human resources and classified staff and is responsible for "review of classification decisions across the system." § 11.5, 128 C.S.R. 62 (1994).

Once all PIQs were completed, the JEC met as a committee and determined the application and

interpretation of the various point factors contained in the JEP [\(See footnote 2\)](#) while conducting the process of reviewing the PIQs and assigning values to each factor. After reviewing all PIQs submitted by personnel classified as Supervisor Electronics Shop, the JEC assigned degree levels for each factor as shown:

FACTOR DEGREE LEVEL

Knowledge	5.0
Experience	5.0
Complexity and Problem Solving	3.5
Freedom of Action	3.5
Scope and Effect - Impact of Actions	3.0
Scope and Effect - Nature of Actions	3.0
Breadth of Responsibility	1.0
Intrasystems Contact - Nature of Contact	1.0
Intrasystems Contact - Level of Contact	2.0
External Contacts - Nature of Contact	1.0
External Contacts - Level of Contact	2.0
Direct Supervision - Number of Direct Subordinates	5.0
Direct Supervision - Level of Supervision	4.0
Indirect Supervision - Number of Indirect Subordinates	1.0
Indirect Supervision - Level of Supervision	1.0
Physical Coordination	3.0
Working Conditions	2.0
Physical Demands	2.0

Using a mathematical equation which is not at issue, the foregoing levels were calculated to award this position a total of 2,213 total points, equating to a Pay Grade 16 position. The Point Score Range for Pay Grade 16 is 2,114 to 2,254. Teresa Crawford, a Senior Compensation Analyst in

the Department of Human Resources at WVU, testified for Respondent. Ms. Crawford has handled classification and compensation matters at WVU since 1984. In that capacity, she is responsible for classification and compensation matters pertaining to employees in the Physical Plant, as well as the maintenance engineering unit in the Health Sciences Center. In addition to holding a B.S. in psychology, a B.S. in Business Administration, and a M.B.A. degree, Ms. Crawford is certified as a compensation professional by the American Compensation Association.

Ms. Crawford explained that the basis of the Mercer classification system was to insure equity in classifications at all colleges and universities in the state system. PIQs are based upon the duties assigned to the position, not the qualifications of the individuals occupying the position.

### **DISCUSSION**

Because grievances challenging pay or classification are not disciplinary in nature, a grievant has the burden of proving by a preponderance of the evidence that he has been misclassified. 156 C.S.R. 1 § 4.17 (1989). See, W. Va. Code § 18-29-6 ¶ 5; Burke v. Bd. of Directors, Docket No. 94-MBOD-349 (Aug. 8, 1995). A grievant challenging his Mercer Classification may prevail by demonstrating his reclassification was made in an arbitrary and capricious manner. See, Kyle v. W. Va. State Bd. of Rehabilitation, Div. of Rehabilitation Services and W. Va. CivilServ. Comm'n., Docket No. VR-88-006 (Mar. 28, 1989). The higher education employee challenging his classification thus will have to overcome a substantial obstacle in attempting to establish that he is misclassified. ([See footnote 3](#))

Whether Grievant is properly classified is substantially a factual determination that must be made on a case-by-case basis. Burke, supra. See, Snider v. W. Va. Bureau of Environment, Docket No. 95-DEP-306 (Sept. 29, 1995). Determinations of the JEC regarding application of the Mercer Plan's point factor methodology are essentially questions of fact. As such, the JEC's interpretation and explanation of the point factors and Generic Job Description at issue will be given great weight unless clearly erroneous. See, Tennant v. Marion Health Care Foundation, 459 S.E.2d 374 (W. Va. 1995); Burke, supra. Likewise, subjective determinations of the JEC regarding application of the JEP'S point factor methodology to an employee or group of employees are entitled to deference when being reviewed by this Grievance Board. However, such subjective determinations may nonetheless be found to be arbitrary and capricious if not supported by a rational basis. Furthermore, such subjective determinations may be clearly wrong if there is no substantial evidence in the record

supporting the finding, or if review of the evidence of record makes it clear that a mistake has been made. Jessen v. Bd. of Trustees, Docket No. 94-MBOT-1059 (Oct. 26, 1995). See Frymier-Halloran v. Paige, 458 S.E.2d 780, 788 (W. Va. 1995); Bd. of Educ. v. Wirt, 192 W. Va. 568, 453 S.E.2d 402 (1994); Kyle, *supra*.

These standards must now be applied in reviewing the decision challenged here, beginning with Grievant's contention that he should have been classified as a Supervisor Electronics Shop, Pay Grade 17. Grievant contends that the Supervisor Electronics Shop classification was undervalued when the JEC rated certain factors using the Point Factor Methodology. In particular, he challenges the degree levels assigned to the Supervisor Electronics Shop position under Factor 1, Knowledge; and Factor 2, Experience. These factors will be discussed together.

### **Factor 1, Knowledge; and Factor 2, Experience**

In regard to Factor 1, Knowledge, and Factor 2, Experience, Ms. Crawford explained that the JEP seeks to identify the minimum amount of knowledge and experience an employee must have before entering a position. It is assumed that any employee entering a new job will undergo a certain amount of on-the-job training to be oriented in the specific duties of his new position. There was a conscious effort to ensure that experience gained in obtaining the requisite level of knowledge was not also credited toward the amount of experience required to enter the position. Thus, experience obtained in the course of completing a formal training program, having been counted once under Knowledge, should not be counted a second time in establishing the minimum level of experience required under Factor 2. The JEP explains Factor 1, Knowledge, as follows:

This factor measures the minimum level of education equivalency and/or training typically required for an incumbent to reach acceptable occupational competence on the job. The factor considers the technical, theoretical, and/or mechanical skills required, and the complexity and diversity of the required skills.

The PIQ directed each employee to "indicate the lowest level of education and/or training usually required to understand and perform the work. Tell us what is required, not the incumbent's own educational level. Do not include job-related experience because that is covered in the next question."

Ms. Crawford testified that the only document considered by the JEC to determine the appropriate level under Knowledge was the PIQ. Under this part, the JEC evaluated the knowledge requirement

for the Supervisor Electronics Shop position at Level "E" or 5. The JEP contains the following description of this level:

Job requires broad trade knowledge or specific technical or business knowledge received from a formal registered apprentice or vocational training program or obtained through an associate's degree of over 18 months and up to 3 years beyond high school.

On his PIQ, Grievant rated the Knowledge requirement for his position at Level "F" or 6, indicating:

Job requires a thorough knowledge of a professional discipline or technical specialty as would normally be acquired through a relevant baccalaureate education program. Knowledge of principles, concepts, and methodology of a highly technical, professional, or administrative occupation is indicative of this level.

Grievant's supervisor, Terry Hoskins, Maintenance Manager, and Mr. Hoskins supervisor, Mr. Bates, Director, had the opportunity to mark on Grievant's PIQ the degree level they thought was appropriate for the position in question. On some other point factors they disagreed with Grievant's evaluation of his job as shown by their marks on his PIQ. However, they did not disagree with the degree level Grievant marked on his PIQ for Knowledge.

At the Level IV evidentiary hearing, Ms. Crawford testified "that the same level of knowledge [as applied to the Electronics Technician] was applied to Mr. DeWitt's position as supervisor." She also stated that "the [JEC's] thought process was that then [sic] to allow those individuals [Electronic Technicians] an opportunity to promote into the supervisor level."

Although this might be an appropriate classification goal, it does not properly evaluate the knowledge degree level for the position in question. Grievant testified that his predecessor was required to have a bachelor's degree, that a bachelor's degree was a requirement for that position when he was hired over ten years ago, and that his current job description (after Mercer) requires a bachelor's degree. Furthermore, Grievant produced documentary evidence which showed that, before and after "Mercer," a bachelor's degree was required for the Supervisor Electronics Shop position. (See Gr. Exs. 1, attachment to the PIQ, and 4). His current job description, under Part V. Knowledge, requires:

**EDUCATION:**

**JOB REQUIRES A THOROUGH KNOWLEDGE OF A TECHNICAL SPECIALTY AS WOULD NORMALLY BE ACQUIRED THROUGH A RELEVANT 4 YEAR BACCALAUREATE EDUCATION PROGRAM. THE HIGHLY COMPLEX AND ONE-**

OF-A-KIND DESIGN OF THE PRT REQUIRES IN-DEPTH KNOWLEDGE OF PRINCIPLES, CONCEPTS, AND METHODOLOGY OF A WIDE VARIETY OF HIGHLY TECHNICAL ELECTRONICS.

KNOWLEDGE:

- IN-DEPTH KNOWLEDGE OF THE ELECTRONIC SYSTEMS TRADE.
- IN-DEPTH KNOWLEDGE OF WVU AND PRT POLICES AND PROCEDURES.
- IN-DEPTH KNOWLEDGE OF PRT ELECTRONIC AND ELECTRO- MECHANICAL INTERFACE SYSTEMS.
- ABILITY TO EFFECTIVELY COMMUNICATE WITH PEOPLE AND PROVIDE PROFESSIONAL LEADERSHIP.
- ABILITY TO UNDERSTAND AND IMPLEMENT VERBAL INSTRUCTIONS.
- ABILITY TO READ, UNDERSTAND AND PROVIDE WRITTEN RESPONSES TO A VARIETY OF TECHNICAL AND NON TECHNICAL CORRESPONDENCES.
- ABILITY TO ORGANIZE AND DIRECT THE MAINTENANCE EFFORT AND EMERGENCY RESPONSES FROM PERSONNEL OF VARIOUS TRADES AND SKILL LEVELS.
- KNOWLEDGE OF FIRST AID AND CARDIOPULMONARY RESUSCITATION TECHNIQUES.

During the Level IV evidentiary hearing, the following colloquy occurred:

Administrative Law Judge (ALJ): How did they [the JEC] determine that you could get this training at the associate level as opposed to a four year degree?

Ms. Crawford: I think just through the knowledge, you know that many of the schools offer. Many of the smaller institutions offer an associate degree in electronics. And just from their familiarity of what their programs offer at their institutions, and what types of things were taught in those programs.

ALJ: OK. But they don't have PRTs there. Are they familiar with PRT System and the electronics at the PRT station?

Ms. Crawford: Not specifically. But we didn't look at, we looked at electronics as being electronics, and the field of electronics, and what's encompassed in the overall field of electronics. [\(See footnote 4\)](#) That was the way it was, and that's was really the way it was looked at for any types [sic] of crafts [sic]. I mean there were some discussions, that maybe at one school, crafts do more [\(See footnote 5\)](#) than another school, but we

finally said no we're not going to get into that. We're going to look at the field in general.

Grievant: I think that's one of the points we tried to make, is that the electronics does differ quite a bit. I think if you look at the University as a whole, there's not a lot of, there's not a PRT anywhere else, but there's a lot, you need to look at the electronics.

Respondent's Counsel: But if you took that position, could you ever hire in a person from outside Morgantown campus WVU to be an Electronics Technician at the PRT.

Ms. Crawford: At some point they have to start out with the basic knowledge of the field, or you would never fill any of the positions at the PRT.

There is basic and advanced electronics that can apply to many areas. But to say that electronics is electronics, not only substantially devalues the knowledge, experience, and skills required of those that work with the massive and highly complex electronic system embodied in the PRT system, but ignores certain aspects, including the importance of knowledge and experience, of the Supervisor Electronics Shop position. Grievant testified as to the complexity of the PRT, and the Education requirement clearly states the PRT is "highly complex and one-of-a-kind" and consists of "a wide variety of highly technical electronics." Under Factor 2, Experience, the JEP is attempting to measure "the amount of prior directly related experience required before entering the job." The JEP also notes "[p]revious experience or training should not be credited under this factor is credited under Knowledge." The following degree level are used:

C or 3 = Over one year and up to two years of experience.

D or 4 = Over two years and up to three years of experience.

E or 5 = Over three years and up to four years of experience.

F or 6 = Over four years and up to six years of experience.

G or 7 = Over six years and up to eight years of experience.

The JEC evaluated the experience requirement for the Supervisor Electronics Shop position at Level "E" or 5. On his PIQ Grievant marked a "G" or 7. Again, Director Bates and Manager Hoskins failed to indicate disagreement with Grievant's assessment. Furthermore, Grievant's current job description, under Part V. Qualification Standards for experience, states:



## EXPERIENCE:

-OVER 4 YEARS AND UP TO 6 YEARS OF DEMONSTRATED ABILITY TO PERFORM AND/OR DIRECT COMPLEX ELECTRONIC MAINTENANCE AND LEAD PEOPLE. THE SPECIFIC ONE-OF-A-KIND NATURE OF THE PRT REQUIRES THAT THIS EXPERIENCE BE ACQUIRED WITHIN THE PRT.

At Level IV, Grievant credibly testified:

It's not a job that you learn in a couple of years. Its something that takes a long time. Its such a complicated system that a technician who is hired in doesn't know where everything's at for a whole year. That's how complicated the, how much electronics, how many different areas that there are and we're responsible for all of them. And after he's there for a year, he's still not much good to you as far as an electronics technician goes. And then he just knows where basically, everything's at. He's still going along with others. And this is a guy, or woman, who has a two year degree and has just you know, and in college or equivalent, and then after about two to three years they begin to be useful to the system.

It used to be as you progressed to an Electronics Technician II, after you were there for two to three years and you began to troubleshoot and be helpful. And then a[n] [Electronics Technician] III was just a stage further than that.

A Supervisor is somebody who has to know every part of the system, not just the electronics and all those systems I just described, but the rest of the system too, as far as mechanical, electrical and all those. But as far as meeting the experience, it's the electronics that makes the difference because of the complicatedness [sic] of the system.

The JEC's evaluation was clearly wrong because, according to Respondent's witness, the JEC failed to consider the uniqueness of the electronics of the PRT system, including its redundancies, the number and of volume circuit boards, the anti-collision system, and the myriad of other uncommon and distinctive electronics circuitry involved.

Grievant proved by a preponderance of the evidence that Respondent was arbitrary and capricious, and clearly wrong in its evaluation of the Knowledge and Experience factors. Grievant further proved by a preponderance of the evidence that the Supervisor Electronics Shop position should be rated an "F" or 6 under Knowledge, and a "F" or 6 under Experience.

The following Findings of Fact are made from the record developed at Level IV.

## **FINDINGS OF FACT**

1. All classified employees were asked to complete a Position Information Questionnaire

("PIQ") prior to the reclassification. The employees were to describe their job duties and responsibilities, and the job requirements on the PIQ, by answering a series of questions designed to elicit this information.

2. Under the JEP, positions are evaluated under a "point factor methodology" wherein point values are assigned to thirteen "job evaluation factors": (1) knowledge; (2) experience; (3) complexity and problem solving; (4) freedom of action; (5) scope and effect; (6) breadth of responsibility; (7) intrasystems contacts; (8) external contacts; (9) direct supervision exercised; (10) indirect supervision exercised; (11) physical coordination; (12) working conditions; and (13) physical demands. 128 C.S.R. 62 § 2.27 (1994).

3. Grievant, an employee of West Virginia University, was classified in the Mercer reclassification as a Supervisor Electronics Shop, Pay Grade 16, effective January 1, 1994.

4. Grievant is the only higher education employee holding this Job Title.

5. The Supervisor Electronics Shop position requires a thorough knowledge of a technical specialty as would normally be acquired through a relevant 4 year baccalaureate education program.

6. Before and after "Mercer," a bachelor's degree was required for the Supervisor Electronics Shop position. Grievant's predecessor was required to have a bachelor's degree. A bachelor's degree was a requirement for that position when Grievant was hired over ten years ago. Grievant earned a Bachelor of Science degree, in Technical Engineering, from Fairmont State College.

Grievant's current job description (after Mercer) requires a bachelor's degree.

7. The highly complex and one-of-a-kind design of the PRT requires in-depth knowledge of principles, concepts, and methodology of a wide variety of highly technical electronics.

8. For the first year, new electronic technicians accompany more experienced electronic technicians, and begin to learn the PRT system. After that phase of experience is completed, the electronics technician begins, after two or three years of PRT experience, begins to troubleshoot and be helpful. Therefore, over 4 years and up to 6 years of PRT experience is required to perform the duties of the Supervisor Electronics Shop.

9. Grievant held the Supervisor Electronics Shop position in excess of 10 years, and was promoted to that position after progressing through the Electronics Technician I, II, and III positions.

10. The JEC rated the Supervisor Electronics Shop position a 5.0 in Knowledge, and a 5.0 in Experience.

11. The next higher pay grade, Pay Grade 17, as defined by the JEP requires a minimum 2255 total points.

In addition to the foregoing narrative and findings of fact, the following conclusions of law are appropriate in this matter.

### **CONCLUSIONS OF LAW**

1. The governing boards are required by W. Va. Code § 18B-9-4 to establish and maintain an equitable system of job classifications for all classified employees in higher education. Burke v. Bd. of Directors, Docket No. 94-MBOD-349 (Aug. 8, 1995).

2. The burden of proof in a misclassification grievance is on the grievant to prove by a preponderance of the evidence that he is not properly classified. 156 C.S.R. 1 § 4.17; Burke, supra.

3. Determinations of the Job Evaluation Committee regarding application of the JEP's point factor methodology are essentially questions of fact. In that regard, the JEC's interpretation and explanation of the point factors and PIQs at issue will be given great weight unless clearly erroneous. Burke, supra. See generally, Tennant v. Marion Health Care Foundation, 459 S.E.2d 374 (W. Va. 1995). Likewise, subjective determinations of the JEC regarding application of the JEP's point factor methodology to an employee or group of employees are entitled to deference when being reviewed by this Grievance Board. However, such subjective determinations may nonetheless be found to be arbitrary and capricious if not supported by a rational basis, or to be clearly wrong if there is no substantial evidence in the record supporting the finding or, review of the evidence of record makes it clear that a mistake has been made. Jessen v. Bd. of Trustees, Docket No. 94-MBOT-1059 (Oct. 26, 1995). See Frymier-Halloran v. Paige, 458 S.E.2d 780, 788 (W. Va. 1995); Bd. of Educ. v. Wirt, 192 W. Va. 568, 453 S.E.2d 402 (1994); Kyle v. W. Va. State Bd. of Rehabilitation, Docket No. VR-88-006 (Mar. 28, 1989).

4. Grievant proved by a preponderance of the evidence that the JEC was clearly wrong and acted in an arbitrary or capricious manner in assigning the Supervisor Electronics Shop position a "E" or 5 for Knowledge, and a "E" or 5 for Experience.

5. Under Knowledge, the Supervisor Electronics Shop should be rated at Level "F" or 6, indicating:

Job requires a thorough knowledge of a professional discipline or technical specialty as would normally be acquired through a relevant baccalaureate education program. Knowledge of principles, concepts, and methodology of a highly technical, professional, or administrative occupation is indicative of this level.

According to R. Ex. 3, under Pay Grade data, this would add 79 points to Grievant's total.

6. Under Experience, the Supervisor Electronics Shop should be rated at Level "F" or 6, which is defined as "[o]ver four years and up to six years of experience." According to R. Ex. 3, under Pay Grade data, this would add 58 points to Grievant's total.

7. Grievant proved by a preponderance of the evidence that the Supervisor Electronics Shop position should have been classified at a Pay Grade 17, after receiving an additional 137 points for Knowledge and Experience, for a total of 2,350 points.

Accordingly, this grievance is **GRANTED**. The Respondent Board of Trustees is hereby **ORDERED** to allocate the properly classified Supervisor Electronics Shop position occupied by Grievant DeWitt to Pay Grade 17, retroactive to January 1, 1994, and to pay him damages in the form of the difference between the salary he would have received had his position been properly allocated to Pay Grade 17 and the salary which he received while his position was improperly allocated to Pay Grade 16, if any. It is also **ORDERED**, that the data line for the Supervisor Electronics Shop position be changed and corrected consistent with this decision.

Any party may appeal this Decision to the Circuit Court of Kanawha County or to the Circuit Court of Monongalia County, and such appeal must be filed within thirty (30) days of receipt of this decision. W. Va. Code §18-29-7. Neither the West Virginia Education and State Employees Grievance Board nor any of its Administrative Law Judges is a party to such appeal and should not be so named. Any appealing party must advise this office of the intent to appeal and provide the civil action number so that the record can be prepared and transmitted to the appropriate court.

Dated: August 22, 1996      JEFFREY N. WEATHERHOLT

ADMINISTRATIVE LAW JUDGE

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[Footnote: 1](#)

*This grievance was among over 540 grievances waived to Level IV at the same time by the Respondent and the Board of Directors for the State College System of West Virginia. For a more detailed recitation of the procedural history involving these grievances, see the "background" section of this Board's decision in Burke v. Bd. of Directors, Docket No. 94-MBOD-349 (Aug. 8, 1995).*

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[Footnote: 2](#)

*According to the definitions set forth in Respondent's regulations, a "factor" is: "One of thirteen elements used to evaluate jobs." 128 C.S.R. 62 § 2.27 (1994). The thirteen factors are listed as knowledge, experience, complexity and problem solving, freedom of action, breadth of responsibility, scope and effect, intrasystems contacts, external contacts, direct supervision exercised, indirect supervision exercised, working conditions, physical coordination and physical demands. 128 C.S.R. 62 § 2.27 (1994). The JEP submitted into evidence by Respondent lists only twelve factors, with physical coordination and physical demands combined as Factor Twelve. Some factors, such as scope and effect, were further broken down into two or more elements so that each position was ultimately assigned point values in eighteen categories.*

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[Footnote: 3](#)

*This discussion is not intended to address challenges to the way the Mercer system as a whole is set up, that is, challenges to the methodology.*

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[Footnote: 4](#)

*Ms. Crawford only spent one day, in the summer of 1991, touring the PRT facilities.*

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[Footnote: 5](#)

*If by "more" Ms. Crawford means quantity of work, Mr. Brian Warmuth, Director of Human Resources at West Liberty State College and JEC member, testified in Julian v. Bd. of Dir./Fairmont State College, Docket No. 94-MBOT-779 (Aug. 15, 1996), that the Mercer Classification System does not consider seniority, job performance, and volume of work performed.*

*If she was talking about duties, then the JEC improperly evaluated Grievant's position by failing to base the assessment on the duties and responsibilities of his position.*