BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

JON WAGNER, Appellant, v. DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Respondent.	Case No. ALLO-99-0028 ORDER OF THE BOARD FOLLOWING HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This appeal came on for hearing before the Personnel Appeals Board, WALTER T. HUBBARD, Chair, and LEANA D. LAMB, Member, on Appellant's exceptions to the Director's determination dated September 17, 1999. The hearing was held on March 21, 2000, in the Personnel Appeals Board hearing room in Olympia, Washington. GERALD L. MORGEN, Vice Chair, did not participate in the hearing or in the decision in this matter.

Appearances. Appellant Jon Wagner was present and was represented by Laura Saint, Area Representative for the Washington Federation of State Employees (WFSE). Respondent Department of Social and Health Services (DSHS) was represented by Jesse Powell, Classification and Compensation Manager.

Background. On April 17, 1998, Appellant's supervisor informed Appellant that effective May 4, 1998, he would be assigned new job duties. As a result of the new assignment and at the direction of his supervisor, Appellant submitted a revised classification questionnaire (CQ) to Respondent's personnel office on June 24, 1998. Respondent reallocated Appellant's position from the Recreation Therapist classification to the Recreation Specialist 3 classification effective August 4,

1998. On September 9, 1998, Appellant appealed his reallocation to the Department of Personnel. The Director's determination was issued on September 17, 1999. The Director's designee, Mary Ann Parsons, concluded that Appellant's position was properly allocated. On October 20, 1999, Appellant filed exceptions to the Director's determination with the Personnel Appeals Board. Appellant's exceptions are the subject of this proceeding.

Appellant works in the Geriatric Medical Unit of Rehab Services at Western State Hospital (WSH). Effective May 4, 1998, Appellant's supervisor directed him not to "perform therapeutic recreation activities, patient treatment, complete disciplinary specific assessments . . . receive referrals by physician order assigned on the treatment plan with goals, criteria, and strategies." However, in his June 24, 1998, CQ, Appellant states that he provides therapeutic recreation activities; assesses patient needs; and plans, develops, schedules, implements, evaluates, and refines therapeutic recreation activities 55 percent of his time. Appellant and his supervisor disagree on the duties assigned to Appellant's position.

Summary of Appellant's Argument. Appellant argues that he continues to perform the same duties and responsibilities that he performed prior to the reallocation of his position and asserts that his position was improperly reallocated to the Recreation Specialist 3 classification. Appellant asserts that he participates in the interdisciplinary team process by submitting patient assessments and making program recommendations to the team. The team then discusses Appellant's recommendations, the treatment plan is developed and a physician signs the plan making the plan a physician's referral. Appellant contends that treatment plans listing recreational strategies for patients constitute an ongoing request for therapeutic recreation services from a physician. Appellant takes exception to the Director's finding that the Recreation Therapist class requires incumbents to be certified as Therapeutic Recreation Specialists and contends that he holds a certification as a recreation specialist which satisfies the requirement of the class. Appellant further

contends that he has been performing Recreation Therapist duties for more than six years and that he continues to perform duties at this level. Therefore, Appellant argues that his position should be reallocated to the Recreation Therapist classification.

Summary of Respondent's Argument. Respondent contends that Appellant's supervisor has the authority to assign duties and responsibilities to Appellant's position. Respondent asserts that based on Appellant's assigned duties and responsibilities, the Recreations Specialist 3 classification is the proper allocation for his position. Respondent asserts that Appellant's position is responsible for planning recreational entertainment activities for the unit, not for planning treatment for patients. Therefore, Respondent asserts that the majority of Appellant's duties and responsibilities are described by the Recreation Specialist 3 classification and his position is properly allocated.

Primary Issue. Whether the Director's determination that Appellant's position is properly allocated to the Recreation Specialist 3 classification should be affirmed.

Relevant Classifications. Recreation Specialist 3, class code 36820, and Recreation Therapist, class code 36815.

Decision of the Board. The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed nor an evaluation of the expertise with which that work is performed. Also, a position review is not a comparison of work performed by employees in similar positions. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class which best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The Recreation Therapist classification encompasses positions that serve as members of interdisciplinary treatment teams and that assess patients, and plan, develop, implement and modify recreation services, as referred by a physician, as part of a patient's treatment plan. Appellant provided one example of a treatment plan as evidence of a physician's referral for recreation activities. On this treatment plan, Appellant, as well as another Recreation Specialist, are listed as the staff responsible for providing recreational activity for the patient. However, this appears to be contrary to the assignment of duties given to Appellant by his supervisor and appears to exceed the authority given to Appellant by his supervisor. It is not appropriate to reallocate a position based on duties the incumbent performs that are in direct contradiction to a supervisor's assignment of duties to the incumbent.

In relevant part, the Recreation Specialist 3 classification encompasses positions that plan, organize and manage the recreation program for a unit. The program is designed to meet the needs, interests, and abilities of the patients and includes conferring with clinical or other staff to determine which programs activities to offer to individual patients. Appellant's assigned duties and responsibilities for providing recreation entertainment activities for the Geriatric Medical Unit are encompassed by the Recreation Specialist 3 classification.

It is clear that Appellant is capable and qualified to be a Recreation Therapist. However, an allocation determination is based on a review of the overall duties and responsibilities assigned to an individual position in comparison to the existing classifications. Based on the evidence in the record and the overall duties and responsibilities assigned to Appellant's position, we find that his position is properly allocated to the Recreation Specialist 3 classification.

Conclusion. The appeal on exceptions by Appellant should be denied and the Director's determination dated September 17, 1999, should be affirmed and adopted.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Appellant is denied and the Director's determination dated September 17, 1999, is affirmed and adopted. A copy is attached.

DATED this _____ day of _____, 2000.

WASHINGTON STATE PERSONNEL APPEALS BOARD

_____
Walter T. Hubbard, Chair

_____
Leana D. Lamb, Member