BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

LOUISE BLUHM & TELVIE HARRIS, Appellants, v. DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Respondent.	Case No. ALLO-01-0008 ORDER OF THE BOARD FOLLOWING HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. Pursuant to RCW 41.64.060 and WAC 358-01-040, this matter came on for hearing before the Personnel Appeals Board, GERALD L. MORGEN, Vice Chair, on Appellant's exceptions to the Director's determination dated March 5, 2001. The hearing was held on July 17, 2001, in the Personnel Appeals Board hearing room in Olympia, Washington. LEANA D. LAMB, Member, reviewed the record, including the file, exhibits, and the recorded proceedings, and participated in the decision in this matter. WALTER T. HUBBARD, Chair, did not participate in the hearing or in the decision in this matter.

Appearances. Appellants Louise Bluhm and Telvie Harris were present and were represented by Laura Saint, Area Representative, Washington Federation of State Employees. Respondent Department of Social and Health Services (DSHS) was represented by Jesse Powell, Classification and Pay Manager.

Background. Appellants requested reallocation of their Safety Officer Assistant positions to the Human Resource Consultant 2 classification by submitting updated classification questionnaires (CQs). By letters dated November 29, 2000, Mary Jo Hagen, Human Resource Consultant for

Western State Hospital, determined that the positions were properly allocated to the class of Safety Officer Assistant.

By letter dated December 13, 2000, Appellants appealed to the Director of the Department of Personnel. The Director's designee, Paul Peterson, conducted an allocation review of Appellants' positions. By letter dated March 5, 2001, Mr. Peterson determined that Appellants' positions were properly allocated to the Safety Officer Assistant classification.

On April 4, 2001, Appellants filed timely exceptions to the Director's determination with the Personnel Appeals Board. Appellants' exceptions are the subject of this proceeding.

Appellants work in the Safety Office at Western State Hospital. Mike Hoover, Safety/Risk Manager, supervises Appellants. Appellants are responsible for receiving initial personal injury reports and Labor and Industry (L&I) claims. Appellants perform minimal safety related functions. Appellants' duties focus on managing L&I claims and returning injured workers to work. Appellants consult with injured workers' health care providers and identify and locate "light duty" assignments. After an injured worker is placed in a light duty assignment, Appellants monitor the worker's progress.

Summary of Appellants' Argument. Appellants argue that their duties are best described by the Human Resource Consultant (HRC) 2 classification. Appellants contend that they research light duty positions and make light duty assignments for injured workers without the assistance of any personnel staff. Appellants assert that personnel staff is involved only when reasonable accommodation becomes an issue. Appellants further contend that the focus of their positions has changed from safety functions to management of L&I claims. Therefore, Appellants assert that their positions are encompassed by the HRC 2 classification, which includes assisting employees

and managers with industrial injury issues, workplace safety issues, loss control analysis and prevention, and interpretation of rules and policies.

Summary of Respondent's Arguments. Respondent argues that the majority of Appellants' duties and responsibilities involve receiving and processing information, answering questions, and maintaining files for L&I claims. Respondent contends that the typical work statements of the Safety Officer Assistant classification encompass these duties. Respondent further contends that the HRC 2 classification was intentionally written to encompass a wide variety of human resource functions while the Safety Officer Assistant classification is intended to encompass duties such as those performed by Appellants. Respondent argues that Appellants should be allocated to the classification that specifically encompasses the duties and responsibilities of their positions rather than to the HRC 2 classification. Therefore, Respondent asserts that Appellants' positions are properly allocated to the Safety Officer Assistant classification.

Primary Issue. Whether the Director's determination that Appellants' positions are properly allocated to the Safety Officer Assistant classification should be affirmed.

Relevant Classifications. Safety Officer Assistant, class code 43920, and Human Resource Consultant 2, class code 19103.

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).

Incumbents assigned to the human resource class series classification may specialize in one or more human resource functions or may be assigned a wide variety of responsibilities. Incumbents perform professional level duties and responsibilities in human resource areas such as:

> [C]lassification, compensation, recruitment, selection, affirmative action, diversity, staff and leadership development and training, career counseling, employee recognition and motivation, advising management on corrective and disciplinary actions, representing an organization in appeals or grievances, conducting labor negotiations, mediation or arbitration, organizational analysis or development, interpretation and application of laws, rules, policies and procedures, and other personnel services. [Incumbents] may also be assigned workplace safety or security issues, loss control analysis or prevention, program or policy development, quality consultation, or other functions relating to human resource management in an organization.

The definition for the HRC 2 classification states: "[c]onsults with and provides assistance to managers and employees regarding human resource issues."

The distinguishing characteristics of the HRC 2 classification state:

> Experienced professional level. Works under general guidance of a higher level human resource professional or manager. Supervisor typically reviews outcomes and provides advice or direction as needed. Work performed is complex rather than routine, but impact of decisions is generally limited. Assignments normally involve making decisions and judgments within established precedents. May supervise or lead support, technical, or paraprofessional staff. (Supervision of others should remain an incidental rather than primary function.)

Appellants maintain files on L&I claims, consult with employees, management and others to identify and locate light-duty assignments for injured workers. When an employee is placed in a light duty assignment, Appellants monitor their progress. These duties do not require Appellants to

perform the breadth of human resource functions envisioned by the human resource classifications. Furthermore, Appellants do not work under the guidance of a human resource professional or manager.

The definition for Safety Officer Assistant states:

> Provides assistance in the administration of an agency's comprehensive employee occupational safety and health programs to comply with state, and the Department of Labor Occupational Safety and Health Act (OSHA) and the Washington Industrial Safety and Health Act (WISHA) rules, regulations and codes including developing and implementing any agency or geographic unique safety and health programs.

The distinguishing characteristics for the Safety Officer Assistant state:

> Positions allocated to this class provide assistance in the agency's safety and health programs. All positions report to a higher level safety officer or other position responsible for the safety and health program for an assigned entity such as statewide, geographic area (region or district) an institution, etc.

Appellants assist in the WSH safety and health program by assisting employees and management in the administration of L&I claims. They report to a higher-level position responsible for the safety program for Western State Hospital. Appellants' positions fit within the definition and distinguishing characteristics of the Safety Officer Assistant classification. Furthermore, the following typical work statements for this class describe the functions of Appellants' positions.

> Reviews and processes accident/injury reports pertaining to job related injuries/illnesses; and
>
> Conducts/monitors accident/injury/illness investigations.

While Appellants' duties and responsibilities could be construed to be within a human resource functional area, the Safety Officer Assistant classification is specifically intended to encompass positions that perform functions related to on-the-job injuries and returning employees to work.

Conclusion. Appellants' positions are properly classified as Safety Officer Assistants, and their appeal should be denied. The determination of the Director, dated March 5, 2001, should be affirmed and adopted.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal of Louise Bluhm and Telvie Harris is denied and the determination of the Director, dated March 5, 2001, is affirmed and adopted. A copy is attached.

DATED this _____ day of _____, 2001.

WASHINGTON STATE PERSONNEL APPEALS BOARD

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Gerald L. Morgen, Vice Chair

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Leana D. Lamb, Member