BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

KATHLEEN NAVARRE AND MICHELE NOEL, Appellants, v. DEPARTMENT OF LABOR AND INDUSTRIES, Respondent.	Case No. ALLO-01-0013 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; GERALD L. MORGEN, Vice Chair; and LEANA D. LAMB, Member, on Appellants' exceptions to the Director's determination dated March 23, 2001. The hearing was held in the Personnel Appeals Board hearing room in Olympia, Washington, on October 10, 2001.

Appearances. Appellants Kathleen Navarre and Michele Noel were present and represented themselves *pro se*. Respondent Department of Labor and Industries (L&I) was represented by Sandi LaPalm, Classification Manager.

Background. Appellants submitted Classification Questionnaires requesting that their Administrative Assistant 4 positions be reallocated to the Administrative Assistant 5 classification. Sandi LaPalm, L&I Classification Manager, reviewed the requests and determined that Appellants' positions were properly allocated.

Appellants appealed L&I's decision to the Department of Personnel (DOP). On February 26, 2001, the Director's designee, Paul Peterson, conducted an allocation review of Appellants' positions. By letter dated March 23, 2001, Mr. Peterson determined that Appellants' positions were properly

allocated. On April 23, 2001, Appellants filed exceptions to the Director's determination with the Personnel Appeals Board. Appellants' exceptions are the subject of this proceeding.

L&I consists of six divisions and the headquarters office located in Tumwater, Washington. In addition, L&I has six regional offices located throughout the state. Appellants work in L&I Regional offices. Appellant Navarre works in Region 2, which consists of King County, and Appellant Noel works in Region 5, which consists of Okanogan, Chelan, Douglas, Kittitas, and Grant counties. The regional offices oversee the operations of the field locations in the respective regions. Appellants report to the Regional Administrators for their regions and function as their principal assistants. Appellants are responsible for overseeing and coordinating the administrative functions of the regional office; monitoring the regional budget; participating in setting goals, objectives and priorities for the region; monitoring implementation of initiatives within the region; and acting as liaison with various committees and task forces.

Summary of Appellants' Argument. Appellants argue they are assigned complex, in-depth projects, manage a budget that encompasses multiple offices within their regions, function as contract managers, monitor initiatives within their regions, and communicate with shareholders on behalf of their regional administrators. Appellants contend that the level of their duties and responsibilities meet the Administrative Assistant (AA) 5 classification. Appellants assert that they perform work at the AA 5 level but have been denied reallocation based on the reporting structure i.e., they report to a regional administrator rather than to a "department head, agency director, or the head of a major subdivision." Appellants contend that the regional offices are responsible for the same programs as the central office, offer full services and oversee multiple service locations which is consistent with the breadth of responsibilities found in the AA 5 classification.

Appellants also argue that when the Legislature failed to allocate funds to implement the Administrative Assistant class study, the Department of Personnel asked agencies to provide

funding but L&I refused to fund the class study. Appellants contend that the agency approved expenditures for other classifications and should approve the expenditures necessary for implementation of the AA class study.

Summary of Respondent's Argument. Respondent agrees with Appellants' description of the duties and responsibilities of their positions. However, Respondent argues that regional responsibility is not equivalent to divisional responsibility. Respondent contends that Appellants do not report to the agency director, a department head, or the head of a major sub-division as required for allocation to the AA 5 classification. Respondent asserts that the agency director, deputy directors and assistant directors in the central office and divisions make policy decisions and determine the budget levels allocated to the regions and that the regions are then responsible for monitoring regional budget expenditures, implementing agency policies and initiatives, and overseeing field office operations within the regions. Respondent contends that regional offices are major operating locations as described by the AA 4 classification. Respondent contends that the agency has been consistent in its application of the allocation criteria for the AA classifications and that because of the reporting structure, Appellants' positions are properly allocated to the AA 4 classification.

Respondent argues that in addition to the Administrative Assistant class study, the agency had three other funded packages before the Legislature, two of which involved jobs that protect lives and that were listed as higher priorities than the AA class study. Because the other packages were not funding by the Legislature, Respondent did not feel the agency could fund the Administrative Assistant class study when the higher priority classes also required funding.

Primary Issue. Whether the Director's determination that Appellants' positions are properly allocated to the Administrative Assistant 4 classification should be affirmed.

Relevant Classifications. Administrative Assistant 4, class code 09560; and Administrative Assistant 5, class code 09570.

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).

Positions allocated to the Administrative Assistant 5 classification are principal assistants for administrative matters to a departmental head, agency director, or the head of a major subdivision of a major State agency. While Appellants accomplish varied and complex projects, make decisions, and act for their supervisors in administrative matters, they report to regional administrators, not to the heads of a department or subdivision. Based on the reporting structure, Appellants' positions do not meet the AA 5 classification.

Positions allocated to the Administrative Assistant 4 classification are responsible for administrative matters for the head of a State agency or the head of a major sub-division or major operating location of an agency. Appellants work in regional offices, which are equivalent to major operation locations. Appellants accomplish varied administrative projects, make decisions, and act for their supervisors in administrative matters. Appellants' duties and responsibilities are encompassed by the AA 4 classification.

The major difference between the AA 4 and 5 classifications is the reporting relationship. The level of responsibilities assigned to Appellants meets the AA 5 classification. However, because they

report to a regional administrator in a major operating location, the breadth of their impact does not meet the scope intended to be encompassed by the AA 5 classification.

Regarding the agency's refusal to fund the AA class study, the Board is not the proper forum to address this concern. The Board's jurisdiction is limited to appeals of disciplinary actions, disability separations, alleged rule violations, allocations and exemptions. Appellants' concerns do not fall within the Board's jurisdiction.

Conclusion. The appeal on exceptions by Appellants should be denied and the Director's determination dated March 23, 2001, should be affirmed and adopted.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Appellants is denied and the Director's determination dated March 23, 2001, is affirmed and adopted. A copy is attached.

DATED this _____ day of _____, 2001.

WASHINGTON STATE PERSONNEL APPEALS BOARD

_____
Walter T. Hubbard, Chair

_____
Gerald L. Morgen, Vice Chair

_____
Leana D. Lamb, Member

Personnel Appeals Board
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