BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

LEAH MUASAU, Appellant, vs. DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Respondent.	CASE NO. R-ALLO-10-001 ORDER OF THE BOARD FOLLOWING HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This appeal came before the Personnel Resources Board, LAURA ANDERSON, Vice Chair, and DJ MARK, Member, for a hearing on Appellant's exceptions to the director's determination dated December 30, 2009. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on April 14, 2010.

Appearances. Appellant Leah Muasau was present and represented herself. Respondent Department of Social and Health Services (DSHS) was represented by Pam Pelton, Classification and Compensation Manager.

Background. Appellant's position was allocated to the Administrative Assistant 3 (AA3) classification. On March 17, 2009, Respondent received Appellant's position review request asking that her position be reallocated to the Program Specialist 3 (PS3) classification. By letter dated March 27, 2009, Respondent determined that Appellant's position was properly allocated to the AA3 classification.

On April 27, 2009, Appellant filed a request for a director's review of DSHS's allocation determination. By letter dated December 30, 2009, the director's designee determined that Appellant's position was properly allocated to the AA3 classification. On January 25, 2010, Appellant filed exceptions to the director's determination. Appellant's exceptions are the subject of this proceeding.

Appellant works as the Medical Staff Coordinator at Western State Hospital (WSH). Appellant is supervised by Roger Jackson, the Chief of Medical Staff at WSH. As stated by her supervisor, the purpose of Appellant's position is to "assist the organized medical staff of Western State Hospital in performing the privileging and credentialing function for its members; to assist and coordinate recruitment of medical staff members; to serve as a hospital liaison for consulting physicians and practice groups; to assist the chief of medical staff in ensuring medical staff bylaws compliance; to assist the medical staff in completing peer review activities and in maintenance of confidential records associated with credentialing and privileging activities, peer review activities and meetings of selected medical staff committees." In performing her duties, Appellant uses the standards and legal requirements set by the Joint Commission (TJC), the state, medical staff and the hospital to obtain, verify and analyze information on medical staff applicants for membership and privileges and for reappointments. She is involved in the recruitment of psychiatrists and medical doctors, coordinates the tracking and reporting of peer review audits and ensures compliance with TJC, Centers for Medicare and Medicaid Services (CMS) and Western State Hospital standards. She assists higher level staff in the preparation of recommendations, reports, and quarterly audits; provides information and attends meetings; records meeting minutes; and maintains files.

Summary of Appellant's Arguments. In summary, Appellant contends that WSH is a separate, discrete and self-contained facility which meets the intent of the Program Specialist Class Series Concept. Appellant asserts that her program is separate and distinguished from the main body of the organization because the hospital could not run if it did not have doctors and psychiatrists. Appellant also contends that her job is unique because she does all of the medical credentialing and recruitments for physicians and psychiatrists at WSH. Appellant explains that in regard to recruitments, she places advertisements for positions, receives applicant information, gathers information and forwards it to the medical director, and if the director approves the information, sends an application packet to the applicant. After Appellant receives the completed application

packet, she verifies the information and flags information as needed. She then forwards the application packet to the medical executive committee who vote on whether to approve or disapprove the applicant going further in the process. If the packet is approved, it goes to the governing body for approval and then to Richard Kellogg, the DSHS Director of Mental Health Systems, for final approval. Appellant asserts that her position requires a large set of knowledge of WACs, RCWs, and standards that are unique to her specialized program and that this knowledge is not transferable to other areas of the organization. Appellant acknowledges that there are layers in the decision making process in regard to applicants, but argues that the process does not detract from her responsibility to coordinate a specialized program using unique non-transferable knowledge. Appellant asserts that her position fits within the Program Specialist 3 classification.

Summary of Respondent's Arguments. Respondent argues that WSH is within the Health and Recovery Services Administration section of DSHS. Respondent asserts that the services provided at WSH are not unique and are similar to the agency-wide health services provided at other DSHS institutions including Eastern State Hospital, the Special Commitment Center and the Child Study and Treatment Center. Respondent asserts that all DSHS institutions conduct recruitments and licensing and credentialing activities for medical staff, and that WSH is not unique in structure or need. Respondent contends that Appellant does not have organization-wide program responsibility. Respondent argues that Appellant's duties and responsibilities include coordinating recruitments for medical staff, being the liaison for consulting physicians and practice groups, assisting in ensuring medical staff by-laws compliance, compiling information, maintaining confidential records and functioning as the primary contact and liaison for the program. Respondent contends that Appellant performs a variety of administrative and secretarial support duties including providing assistance for program activities under a second-line supervisor. Respondent further contends that Appellant performs duties of a substantive nature which include representing management, serving as the primary contact for her assigned program area and serving as a liaison for her supervisor. Respondent argues that Appellant collects documents, understands her supervisor's responsibilities, and applies laws, rules, regulations, policies, and procedures in the performance of her

administrative and secretarial program functions. Respondent asserts that Appellant reports to a second-line supervisor, that she performs delegated program activities, and that her position is best described by the Administrative Assistant 3 classification.

Primary Issue. Whether the director's determination that Appellant's position is properly allocated to the Administrative Assistant 3 classification should be affirmed.

Relevant Classifications. Administrative Assistant 3, class code 105G; Program Specialist 3, class code 107J.

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. 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 that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The following standards, in descending order, are the primary considerations in allocating positions:

- Class series concept (if one exists).
- Definition or basic function of the class.
- Distinguishing characteristics of a class.
- Class series concept, definition/basic function, and distinguishing characteristics of other classes in the series in question.

The class series concept for the Program Specialist classes states, in part:

> Positions in this series coordinate discrete, specialized programs consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Positions

> coordinate program services and resources; act as a program liaison and provide consultation to program participants and outside entities regarding functions of the program; interpret, review and apply program specific policies, procedures and regulations; assess program needs; and develop courses of action to carry out program activities. Program coordination also requires performance of tasks and application of knowledge unique to the program and not transferable or applicable to other areas of the organization.
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> . . . .

Appellant does not coordinate a discrete, specialized program that is separate and distinguished from other institutions within DSHS's Health and Recovery Services Administration. Rather, Appellant provides administrative support duties for a program activity. Appellant's position does not meet the intent of the Program Specialist Class Series Concept.

The definition of the Program Specialist 3 classification states, in relevant part:

> Positions at this level work under general direction and typically have organization-wide program responsibility. For programs with statewide impact, incumbents are specialists who manage one component or assist higher levels in two or more components of the program. . . .

Appellant's position does not have organization-wide program responsibility and her program does not have statewide impact. Appellant's position does not fit within the definition of the Program Specialist 3 class.

The definition of the AA3 classification provides, "[p]ositions perform varied administrative and secretarial support duties or positions are responsible for one or more major program activities under a second line supervisor."

The distinguishing characteristics of the AA3 classification state:

> Positions are delegated higher-level administrative support duties or positions are delegated one or more major program activities that would be performed under a second-level professional supervisor, manager or administrator in WMS Band II or above or in exempt service, chief administrator, or head of a major organizational

> unit such as a school, college, or major academic or administrative department. Only one position will be allocated to an individual second-line supervisor for those positions performing one or more major program activities.
>
> A major program activity is defined as a function that is a major element of the supervisor's job. The duty must stand alone and would create significant adverse consequences if poorly performed. However, full delegation can't occur if the supervisor's position requires specialized licensure such as attorneys, medical doctors, and engineers.
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> Higher-level administrative duties are duties of a substantive nature that are appropriate to be performed by the supervisor, manager, administrator, or professional level employee but have been delegated to the administrative assistant to perform. Areas may include but are not limited to, the following: budget development and/or management, expenditure control, office space management, equipment purchases, budget development and/or management, public relations, personnel administration, records management, and report preparation.
>
> Incumbents in these positions represent the supervisor's and/or unit's goals and interests and provide interpretation or explanation of the supervisor's policies or viewpoints.

Appellant's position fits within both the definition and distinguishing characteristics of the Administrative Assistant 3 classification. Appellant performs a variety of administrative and secretarial support duties of a substantive nature and she is delegated responsibility for a major program activity under a second-line supervisor. In addition, Appellant is the liaison and primary contact for the program and as such, she represents the program to applicants and consulting physicians. It is clear that Appellant is highly competent and performs her duties with professionalism and proficiency and that if she performed her duties poorly, it would create significant adverse consequences for the program. However, position allocations are not based on an incumbent's competence, rather position allocations are based on the duties and responsibilities assigned to the position. In this case, the duties and responsibilities assigned to Appellant's position best fit within the Administrative Assistant 3 classification.

In a hearing on exceptions, the appellant has the burden of proof. WAC 357-52-110. Appellant has failed to meet her burden of proof.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Leah Muasau is denied and the director's determination dated December 30, 2009, is affirmed.

DATED this _____ day of _____, 2010.

WASHINGTON PERSONNEL RESOURCES BOARD

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LAURA ANDERSON, Vice Chair

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DJ MARK, Member