BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

KRISTIN MANSFIELD, Appellant, vs. DEPARTMENT OF FISH AND WILDLIFE, Respondent.	CASE NO. R-ALLO-11-014 ORDER OF THE BOARD FOLLOWING HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. Pursuant to WAC 357-52-100, this appeal was heard by the Personnel Resources Board, JOSEPH PINZONE, Vice Chair, on Appellant's exceptions to the Director's determination dated October 7, 2011. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on January 12, 2012. LAURA ANDERSON, Member, reviewed the record, including the file, exhibits, and the entire recorded proceedings, and participated in the decision in this matter.

Appearances. Rhonda Fenrich, Attorney at Law, represented Appellant. Appellant Kristin Mansfield appeared by telephone. Cindy Lerch, Human Resources Manager, represented Respondent Department of Fish and Wildlife (F&W).

Background. Appellant's position was allocated to the Fish and Wildlife Health Specialist classification. On November 4, 2010, F&W's Human Resources (HR) Office received a request to reallocated Appellant's position. On February 14, 2011, F&W HR staff determined that Appellant's position should be reallocated to the Natural Resource Scientist 4 classification.

On March 15, 2011, the Department of Personnel received Appellant's request for a director's review of F&W's allocation determination. Appellant asked that her position be reallocated to the Epidemiologist 3 classification. By letter dated October 7, 2011, the director's designee determined that Appellant's position was properly allocated to the Natural Resource Scientist 4 classification.

On October 18, 2011, Appellant filed exceptions to the Board. Appellant's exceptions are the subject of this proceeding.

As the sole wildlife veterinarian for the state, Appellant's position has statewide responsibility. F&W recognizes Appellant as the agency's highest level expert with regard to wildlife diseases. The parties agree that Appellant proposes, plans, coordinates, and implements epidemiologic studies of morbidity and mortality in wildlife; serves as the principal investigator on federal and state wildlife health surveillance cooperative agreements; and analyzes, interprets, and reports findings from wildlife disease surveillance programs and determines the appropriate preventive or corrective actions needed to mitigate wildlife morbidity and mortality. Appellant conducts surveillance and studies to determine the reservoir of wildlife diseases and works in cooperation with the Department of Agriculture and the Department Health so that the spread of disease and impact on the human population can be mitigated.

Summary of Appellant's Arguments. Appellant argues that the director's designee understated the linkage between wildlife diseases and human epidemiology. Appellant contends that the majority of her work involves wildlife diseases that may affect humans. Appellant explains that animals play a significant role in human epidemiology and asserts that except for the reference to humans in the Epidemiologist 3 classification, the duties and responsibilities of her position best fit within that class. Appellant further asserts that her position is most comparable in scope and responsibility to positions at the Department of Health that are allocated to the Epidemiologist 3 class. Appellant asks that on a best fit basis, her position be reallocated to the Epidemiologist 3 classification.

Summary of Respondent's Arguments. Respondent asserts the Natural Resource Scientist 4 classification recognizes positions that function as state experts and encompasses the scope and level of responsibility assigned to Appellant's position. Respondent acknowledges that the Epidemiologist 3 classification appears to describe work similar to Appellant's but asserts that this classification is intended for positions that deal with humans and public health rather than positions

focused on wildlife matters. Respondent argues that of the available classifications, Natural Resource Scientist 4 is the best fit for Appellant's position.

Primary Issue. Whether the director's determination that Appellant's position is properly allocated to the Natural Resource Scientist 4 classification should be affirmed.

Relevant Classifications. Natural Resource Scientist 4, class code 516N, and Epidemiologist 3, class code 303L.

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).

While a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a position. Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

The following standards are primary considerations in allocating positions:

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

Jurgensen v. DOC, PRB Case No. R-ALLO-07-016 (2008).

The Natural Resource Scientist 4 definition, states, in relevant part:

> In a natural resources agency, . . . is designated in writing by the agency director as the agency's expert in a specialty field independently performing original scientific research with substantial publication of research findings in refereed publications applying in support of agency scientific programs and activities the highest level of expertise in the specialty field existing within the broader scientific community.

The Natural Resource Scientist 4 classification does not contain distinguishing characteristics; therefore we look to the typical work statements for guidance. The typical work statements do not specifically encompass the study of animal diseases and their connection to human health which encompasses the majority of Appellant's duties and responsibilities. While arguable, Appellant's duties and responsibilities could fit within the Natural Resource Scientist 4 class as a specialty field, it is not the best fit when considering the human health component of the majority of her work. Appellant provided persuasive argument that the connection between morbidity and mortality in wildlife and the spread of disease and impact on humans goes beyond the scope of the duties and responsibilities encompassed in the Natural Resource Scientist 4 classification.

The Epidemiologist 3 definition states:

> Plans, coordinates, conducts, analyzes, interprets, and reports the findings from public health surveillance systems and advanced epidemiologic studies which identify the causes of morbidity and mortality. Designs and coordinates appropriate preventive health measures based upon investigative results. Determines which specific public health issues require further epidemiologic studies. Medical positions provide professional medical consultation in the performance of these duties.

The overall duties and responsibilities of Appellant's position are consistent with the Epidemiologist 3 classification. We recognize that the Epidemiologist 3 class refers to human health systems, studies and issues. However, given the scientific interaction between wildlife health and the spread of diseases to the human population, statewide scope of Appellant's responsibilities, and her work in cooperation with the Department of Health and others,

Appellant's duties and responsibilities more closely align with the duties and responsibilities of the Epidemiologist 3 classification.

In Salsberry v. Washington State Parks and Recreation Commission, PRB Case No. R-ALLO-06-013 (2007), the Personnel Resources Board addressed the concept of best fit. The Board referenced Allegri v. Washington State University, PAB Case No. ALLO-96-0026 (1998), in which the Personnel Appeals Board noted that while the appellant's duties and responsibilities did not encompass the full breadth of the duties and responsibilities described by the classification to which his position was allocated, on a best fit basis, the classification best described the level, scope and diversity of the overall duties and responsibilities of his position.

In a hearing on exceptions, the Appellant has the burden of proof. WAC 357-52-110. Appellant met her burden of proof and the appeal on exceptions should be granted. On a best fit basis, Appellant's position should be reallocated to the Epidemiologist 3 classification.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions is granted and the director's determination is reversed, and Appellant's position is reallocated to the Epidemiologist 3 classification.

DATED this _____ day of _____, 2012.

WASHINGTON PERSONNEL RESOURCES BOARD

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JOSEPH PINZONE, Vice Chair

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LAURA ANDERSON, Member