BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

WASHINGTON STATE UNIVERSITY/ VANCOUVER, Appellant, vs. ADAM DVORAK, Respondent.	CASE NO. R-ALLO-11-003 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, Chair; DJ MARK, Vice Chair, and JOSEPH PINZONE, Member, for a hearing on Appellant's exceptions to the director's determination dated January 19, 2011. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on April 20, 2011.

Appearances. Appellant Washington State University/Vancouver (WSU) was represented by Kimberly Maupin, Human Resources Consultant. Respondent Adam Dvorak represented himself in this matter and did not attend the hearing before the Board.

Background. Mr. Dorvak's position was allocated to the class of TV Equipment Operator Lead. On March 1, 2010, he submitted a Position Questionnaire (PQ) form to WSU's human resources office asking that his position be reallocated to the Information Technology Specialist 2 classification.

On July 1, 2010, WSU notified Mr. Dvorak that his position was reallocated to Media Maintenance Technician 2 class. On July 13, 2010, Mr. Dvorak requested a director's review of WSU's decision. By letter dated January 19, 2011, the director's designee determined that Mr. Dvorak's position should be reallocated to the Broadcast Technician 2 classification.

On February 18, 2011, WSU filed exceptions to the director's determination. WSU's exceptions are the subject of this proceeding.

Mr. Dvorak works for Videoconferencing Services on WSU's Vancouver campus He is responsible for the day-to-day operations for video conferencing and video streaming services. His duties include operating and monitoring videoconferences, troubleshooting conferencing IP issues, installing, troubleshooting, maintaining video operating software and hardware equipment, and repairing departmental computers for multimedia purposes. During the director's review hearing, Mr. Dvorak's supervisor clarified that Mr. Dvorack performs:

- 40% computer maintenance and functions such as monitoring the IP and videoconference network
- 25% administrative duties such as scheduling and coordinating meetings for videoconference system
- 15% videoconference operations

Summary of WSU's Arguments. WSU argues that Mr. Dvorak's position does not fit within the Broadcast Technician class series because he does not perform duties related to radio or TV broadcasting, production or programming. WSU asserts that positions allocated to the Broadcast Technician series are responsible for broadcasting duties that are subject to the Federal Communications Commission regulations which is not a component of Mr. Dvorak's position. WSU explains that video conferencing and multimedia conferences are not subject to the same regulations as radio and television broadcasting. WSU argues that Mr. Dvorak's position fits within the class series concept of the Media Maintenance Technician class series and within the definition and distinguishing characteristics of the Media Maintenance Technician 2 level.

Summary of Mr. Dvorak's Arguments. Mr. Dvorak did not attend the hearing and did not provide argument in response to WSU's exceptions. However, at the director's review hearing, he acknowledged that his duties were very broad and that any classification chosen for his position would not be an exact fit.

Primary Issue. Whether the director's determination that Mr. Dvorak's position is properly allocated to the Broadcast Technician 2 classification should be affirmed.

Relevant Classifications. Broadcast Technician 2, class code 201F, and Media Maintenance Technician 2, class code 592F.

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 Broadcast Technician class series does not contain a class series concept. However, a review of the series shows that it encompasses positions that perform radio and/or television broadcast equipment operation, production, or programming activities that use the public airways. Mr. Dvorak does not perform these functions. Rather, he operates equipment that sends signals to specific sites for videoconferences and telecommunication events, including multi-media events. Additionally, Mr. Dvorak does not utilize the same type of equipment as that is used for radio or television broadcasts. Further, positions in the Broadcast Technician series perform work that must conform to Federal Communications Commission regulations which is not a component of

the work performed by Mr. Dvorak. The Broadcast Technician 2 classification is not the best fit for Mr. Dvorak's position.

We agree with the director's designee to the extent that:

> Mr. Dvorak organizes and schedules videoconference meeting events. He operates and monitors videoconference events in the control room. This includes remotely supporting, operating and troubleshooting videoconferences for 15 conference rooms throughout campus via online graphical user interfaces. He maintains specific software configurations for videoconference devices. He installs, configures, maintains and troubleshoots video streaming computer hardware and software equipment. He applies and tests video streaming and communications software. He also edits, organizes, and distributes class video streams [and a]dminister[s] a local video stream service using the helix server and the on-campus proxy server. He diagnoses and repairs malfunctioning equipment. His duties include calibrating audio video equipment and electronics.

Mr. Dvorak does not perform the above-functions for radio or television broadcast as required for allocation to the Broadcast Technician class series.

The Media Maintenance Technician series encompasses positions that provide media maintenance technical support and maintain, repair, install, construct and test electronic media and/or multimedia equipment and systems. This series is a much better fit to Mr. Dvorak's skills. Positions allocated to this series work in a variety of environments including electronic conference centers. The overall focus and scope of Mr. Dvorak's position includes scheduling, operating, and producing videoconference and video streaming events using electronic multimedia and videoconferencing equipment. His position fits within the Media Maintenance Technician series.

In a hearing on exceptions, the Appellant has the burden of proof. WAC 357-52-110. WSU has met its burden of proof.

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ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Washington State University/Vancouver is granted and Adam Dvorak's position, #98585, is properly allocated to the Media Maintenance Technician 2 classification.

DATED this _____ day of _____, 2011.

WASHINGTON PERSONNEL RESOURCES BOARD

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LAURA ANDERSON, Chair

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DJ MARK, Vice Chair

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JOSEPH PINZONE, Member