BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

SHEILA SMITH, Appellant, vs. DEPARTMENT OF FISH AND WILDLIFE, Respondent.	CASE NO. R-ALLO-12-002 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, DJ MARK, Chair, and JOSEPH PINZONE, Vice Chair, for a hearing on Appellant's exceptions to the director's determination dated March 16, 2012. The hearing was held on June 13, 2012.

Appearances. Rhonda Fenrich, Attorney at Law, represented Appellant Sheila Smith. Tracy Wolfe, Human Resources Consultant, represented Respondent Department of Fish and Wildlife (F&W).

Background. F&W Human Resources staff reviewed the allocation of Appellant's position and determined that the position should be allocated to the Scientific Technician 4 classification. Appellant then asked F&W to consider reallocating her position to an Information Technology classification. By letter dated August 2, 2011, F&W Human Resources staff determined that Appellant's position was properly allocated to the Scientific Technician 4 classification.

On August 18, 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 Information Technology Application Specialist 2 classification or to the Management Analyst 4 classification. By letter dated March 16, 2012, the director's designee determined that Appellant's position was properly allocated to the Scientific Technician 4 classification.

On March 30, 2012, Appellant filed exceptions to the Board and asked that her position be reallocated to the Information Technology Application Specialist 2 classification. Appellant's exceptions are the subject of this proceeding.

Appellant is a Statewide Soft Data and Quick Reporting Manager for F&W. She is responsible for overseeing the data collection and reporting activities for the agency's statewide commercial catch database for sturgeon and salmon. She performs routine technical support tasks such as developing front-end queries, running reports, and performing periodic audits to ensure database accuracy and she is responsible for ensuring the accuracy and timeliness of information entered into the system. She trains system users in the features and functionality of the system as well as resolves user issues and problems. In addition, she works with other staff and groups such as representatives of the Federal government and Tribes, regarding data collection and reporting activities.

In summary, and as described in the Position Description Form for her position, Appellant's duties involve:

35% managing the statewide data system

35% assuring accuracy of system data

15% supervising temporary staff, assisting with non-treaty and treaty catch data, and writing reports

5% corresponding with and building rapport with fishers, buyers and constituents.

Summary of Appellant's Arguments. Appellant argues that there is no classification that fully encompasses her unique duties. Appellant explains that her duties have evolved over time and that, when the Information Technology Specialist 6 retired, she assumed many of the duties of that position. She asserts that her work crosses over multiple classifications and that the Information Technology (Application) Specialist 2 best describes her overall database duties and responsibilities. Appellant contends that within F&W positions that perform the same work she performs have been allocated to information technology classes and that her position should be

similarly allocated. Appellant asserts that the director's designee failed to consider F&W's usage of the information technology classes and instead applied allocation criteria not specific to F&W. Appellant argues that the supervisor who completed the position description for her position specifically wrote the description for reallocation to the information technology series. Appellant contends that she is responsible for overseeing the input of data, analyzing data, troubleshooting the system, resolving user problems, updating the system, writing system queries, and manipulating data. Appellant explains that she does not perform work in the field or in a laboratory and that she oversees the work of the staff that performs the data input duties described in the Scientific Technician 4 classification. Appellant asserts that her duties and responsibilities are higher level duties than those found in the Scientific Technician 4 class. Appellant contends that her duties and responsibilities are best described by the Information Technology (Application) Specialist 2 classification.

Summary of Respondent's Arguments. Respondent acknowledges that the misallocation of positions performing work similar to the work performed by Appellant may exist. However, Respondent argues that the Scientific Technician 4 class encompasses multiple positions including those that oversee and manage databases. Respondent recognizes that Appellant is very knowledgeable about the database and has learned to troubleshoot problems, but asserts that these duties are a minimal part of her job. Respondent argues that Appellant's position exists primarily to maintain and manage the database for a fishery program, not to perform professional information technology support within an information technology environment. Respondent explains that while the database is extremely important, its purpose is limited in scope. Respondent asserts that neither the purpose of Appellant's position or the majority of her duties fit within an information technology class. Respondent contends that the majority of Appellant's duties and responsibilities fit within the Scientific Technician 4 classification.

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

Relevant Classifications. Scientific Technician 4, class code 522H, and Information Technology Application Specialist 2, class code 479J.

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 class series concept for the Information Technology Specialist classes states:

> Positions in this category perform professional information technology systems and/or applications support for client applications, databases, computer hardware

> and software products, network infrastructure equipment, or telecommunications software or hardware.
>
> This category broadly describes positions in one or more information technology disciplines such as: Application Development And Maintenance, Application Testing, Capacity Planning, Business Analysis and/or Process Re-Engineering, Data Base Design And Maintenance, Data Communications, Disaster Recovery/Data Security, Distributed Systems/LAN/WAN/PC, Hardware Management And Support, Network Operations, Production Control, Quality Assurance, IT Project Management, Systems Software, Web Development, or Voice Communications.
>
> <u>Positions which perform information technology-related work to accomplish tasks but are non-technical in nature would not be included in this occupational category.</u>
>
> (Emphasis added.)

The intent of Appellant's position and the focus of her duties and responsibilities are not performing professional information technology systems or applications support. Rather, she utilizes the statewide database system to oversee the collection of data, to assure data is accurate and timely report, and to develop and run queries and produce reports. She also oversees the work of others and assists them to resolve data input issues and problems. Appellant's position is not encompassed by the Information Technology Specialist class series concept.

Additionally, because she does not perform work in an information technology discipline, the majority of her duties and responsibilities do not fit within the definition of the Information Technology Specialist 2 class.

The Scientific Technician 4 definition states:

> As the designated project leader, plans, organizes, conducts, and evaluates departmentally recognized technical field projects that support habitat utilization or enhancement, production assessment, or similar studies for an assigned region/area; participates in the development of new tagging methods and supervises tagging operations; monitors commercial and recreational multi-species fisheries in an assigned area and <u>maintain computerized data bases for the fisheries</u> and/or habitat; supervises a region for the salmon Puget Sound Sampling

> Program; manages the technical staff and activities for a laboratory; manages the State Oyster Reserves; maintains large data bases used for fisheries management.
>
> (Emphasis added.)

Mikitik v. Dept's of Wildlife and Personnel, PAB No. A88-021 (1989), the Personnel Appeals Board concluded that when there is a class that specifically includes a particular assignment and there is a general classification that has a definition which could also apply to the position, the position should be allocated to the class that specifically includes the position.

Responsibility for maintaining large data bases used for fisheries management is specifically included in the Scientific Technician 4 classification. The overall duties and responsibilities of Appellant's position are included in the definition of the Scientific Technician 4 classification. Appellant is a Statewide Soft Data and Quick Reporting Manager and is responsible for overseeing the data collection and reporting activities for the agency's statewide commercial catch database for sturgeon and salmon. Appellant has responsibility for managing the database; assuring the accuracy and timeliness of data; supervising staff and assisting staff and users with non-treaty and treaty catch data; and writing queries and producing reports. As described in her position description form, these duties encompass the majority of Appellant's work and fit within the definition of the Scientific Technician 4 classification.

Most positions within the civil service system occasionally perform duties that appear in more than one classification. We recognize that Appellant's position has evolved and that she has taken on additional duties and responsibilities. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. See Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

The majority of Appellant's work best fits within the Scientific Technician 4 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 is denied and the director's determination dated March 16, 2012, is affirmed.

DATED this _____ day of _____, 2012.

WASHINGTON PERSONNEL RESOURCES BOARD

_____
DJ MARK, Chair

_____
JOSEPH PINZONE, Vice Chair