BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

DEPARTMENT OF REVENUE, Appellant, vs. SUZI SIMPSON, Respondent.	CASE NO. R-ALLO-13-011 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, JOSEPH PINZONE, Chair; DJ MARK, Vice Chair; and NANCY HOLLAND YOUNG, Member, for a hearing on Appellant's exceptions to the director's determination dated May 31, 2013. The hearing was held on August 22, 2013.

Appearances. Appellant Department of Revenue (Revenue) was represented by Niki Paavlicek, Human Resources Program Manager. Respondent Suzi Simpson was represented by Steve Sloniker, Employee Relations Specialist with the Washington Public Employees Association.

Background. Respondent's position was allocated to the Data Processing Supervisor classification. Due to organizational changes, the position was reallocated to the Forms and Records Analyst 2 classification effective August 22, 2012.

On September 5, 2012, the Office of the State Human Resources Director received Respondent's request for a director's review of Revenue's allocation determination. Respondent asked that her position be reallocated to either the Data Processing Supervisor 4 or the Forms and Records Analyst Supervisor classification. By letter dated May 31, 2013, the director's designee determined that Respondent's position should be reallocated to the Forms and Records Analyst 3 classification.

On June 28, 2013, Revenue filed exceptions to the Board. Revenue asked that the position remain allocated to the Forms and Records Analyst 2 classification. Revenue's exceptions are the subject of this proceeding.

Respondent's position is assigned to the Taxpayer Account Administration, Image Capture and Processing Team (ICPT). In summary, her duties include a wide variety of forms and records tasks for electronic, manual and automated systems. She also receives public records requests, oversees the management and retrieval of electronic records, and shares lead responsibility for eight office assistants with two other Forms and Records Analyst 2 positions. The majority of Respondent's duties and responsibilities relate to the overseeing the processing of documents. She has no assigned supervisory responsibilities for staff although she does provide input to the supervisor for some performance evaluations.

Summary of Revenue's Arguments. Revenue argues that the director's designee erred in considering Respondent's extensive knowledge rather than the actual work she performed in making her determination. Revenue asserts that extensive knowledge of the unit's work should not be used as an allocating factor. Revenue also argues that the director's designee erred when concluding that Respondent's position performs supervisory duties. Revenue asserts that Respondent shares lead responsibilities with the other Forms and Records Analyst 2s for the office assistants and that she does not lead the other Forms and Records Analyst 2s. Revenue explains that Respondent is not assigned supervisory responsibilities although she did continue to perform some duties when the new supervisor was transitioning into the position. Revenue argues that those supervisory duties did not comprise a majority of her overall duties. Revenue contends that the director's designee erred in finding that Respondent was a systems specialist. Revenue explains that Respondent and the other Forms and Records Analyst 2s oversee the processing of records using two separate systems but that information technology staff are the specialists in maintaining the system and how the system operates. Revenue asserts that the majority of the duties and responsibilities of Respondent's position best fit the Forms and Records Analyst 2 classification.

Summary of Respondent's Arguments. Respondent asserts that she is a records specialist and that she uses her expertise to oversee the processing of records in two separate and distinct systems. Respondent acknowledges that as described in her position description form it appears that she performs the same duties as the other Forms and Records Analyst 2, but in actuality, the duties she performs include higher level tasks that require system access at the supervisor level. Respondent contends that her higher level duties include responsibility for several reports that are run at the supervisor level, writing and providing input on performance evaluations and creating procedures. Respondent argues that she performs all but one of the typical work statements in the Forms and Records Analyst 3 classification, that it was her job to train staff on using both the Excise Tax returns system and the Business Licensing Services system, and that she has supervisor access to the system so that she can perform higher level work such as running reports and correcting processing errors. Respondent asserts that because she performs all the work performed by the Forms and Records Analyst 2 positions in addition to the higher level work performed using the supervisor level access, her position should be reallocated to the Forms and Records Analyst 3 classification.

Primary Issue. Whether the director's determination that Respondent's position should be reallocated to the Forms and Records Analyst 3 classification should be affirmed.

Relevant Classifications. Forms and Records Analyst 2, class code 112J, and Forms and Records Analyst 3, class code 112K.

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 definition for the Forms & Records Analyst 3 states:

> Positions at this level are specialists in two or more system areas such as financial records, student records, resident records, and/or health records, or function as a management consultant for complex manual and/or electronic forms and/or records problems, or provide management consultation and determinations on responses to public record requests. Incumbents may oversee the work of subordinate staff and coordinate the day-to-day delivery, distribution, access, maintenance and retention of manual and/or electronic forms and/or records.

We have carefully reviewed the documents and considered the arguments of the parties in this case. As a specialist at the Forms and Records Analyst 3 level, a majority of an incumbent's duties would require intensive application of knowledge and skills in <u>all</u> aspects of the records management including record processing. While it is clear that Respondent is very knowledgeable in records processing using the two separate systems, she does not reach the level of a system specialist. We recognize that Respondent performs some work that requires a higher level of system access than the other Forms and Records Analyst 2 positions, but the duties she performs using this access are closely aligned with records processing and do not comprise majority of her duties. Respondent is not responsible for managing the systems or for supervising other staff. Rather, she and the other Forms and Records Analyst 2 positions in the ICTP have lead responsibility for overseeing the processing of records by the office assistant positions.

The definition for the Forms & Records Analyst 2 class states, in relevant part:

> Positions at this level provide consultation to managers and perform journey-level forms and/or records work such as analyzing manual, electronic and/or automated forms and/or records management problems, developing and implementing plans for rectifying system deficiencies, designing forms and coordinating forms production. Incumbents assist with and coordinate records retention, migration, transfer and disposition, utilize manual, electronic and/or automated systems, and provide consultation on forms and/or records management programs and system requirements. Incumbents conduct record inventories, assist with reviewing and updating record retention schedules and coordinate, retrieve information for and respond to public record requests . . .

Respondent's position is fully encompassed in the definition of the Forms and Records Analyst 2 classification. In addition, the 2 level provides that incumbents may lead or supervise lower level staff. The higher level duties Respondent performs include tasks such as analyzing, researching and working reports, entering information into spreadsheets and performing batch reconciliation. These duties are consistent with journey-level work described in the Forms and Records Analyst 2 class. Appellant oversees the day-to-day processing of records, analyzes records management problems and rectifies system deficiencies. Overall, the majority of Respondent's duties and responsibilities best fit the Forms and Records Analyst 2 classification.

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

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions is granted. The director's determination dated May 31, 2013, is reversed and Respondent's position should remain allocated to the Forms and Records Analyst 2 classification.

DATED this _____ day of _____, 2013.

WASHINGTON PERSONNEL RESOURCES BOARD

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JOSEPH PINZONE, Chair

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DJ MARK, Vice Chair

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NANCY HOLLAND YOUNG, Member