BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

MARY HOUGAN, Appellant, vs. DEPARTMENT OF AGRICULTURE, Respondent.	CASE NO. R-ALLO-13-008 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, and NANCY HOLLAND YOUNG, Member, for a hearing on Appellant's exceptions to the director's determination dated March 26, 2013. The hearing was held on August 7, 2013.

Appearances. Appellant Mary Hougan was present and represented herself. Barbara Hoff, Human Resource Consultant, represented Respondent Department of Agriculture (AGR).

Background. Appellant works within the Plant Protection Division for the Weights and Measures/Commission Merchants Program. On November 1, 2011, AGR's Human Resources (HR) Office received Appellant's request to reallocate her Administrative Assistant 4 position to the Program Specialist 4 classification. By letter dated January 4, AGR's HR staff determined that Appellant's position was properly allocated to the Administrative Assistant 4 classification.

On February 1, 2012, the Office of the State Human Resources Director received Appellant's request for a director's review of DOC's allocation determination. By letter dated March 26, 2013, the director's designee determined that Appellant's position was properly allocated to the Administrative Assistant 4 classification.

On April 23, 2013, Appellant filed exceptions to the Board. Appellant's exceptions are the subject of this proceeding.

In summary, Appellant's position supervises three Customer Service Specialist positions and provides support for various specific program components of the Weights and Measures, Agriculture Investigations, and Motor Fuel Quality Programs. Each program has specialized components that have statewide impact and discrete, unique tasks and each has different compliance requirements, fee schedules, fund codes, RCWs and WACs. Appellant administers, oversees, and directs activities for each of the program components within her area of responsibility and she advises public entities and higher level staff on various issues for each of the program components. Appellant participates in the budget process for the programs and produces various reports, including budget reports, for review by others.

Summary of Appellant's Arguments. Appellant asserts that the duties and responsibilities of her position expanded when she was assigned responsibility for the Motor Fuel Quality Program which was work formerly performed by a position that was paid ten ranges hire than Appellant's position. Appellant explains that when she took on this work, she also began doing the enforcement piece for the program which had not been done by the previous employee. Appellant argues that she works under administrative direction and manages program components that have state-wide impact and that are specialized and unique. Appellant explains that she interprets program specific laws and rules and ensures compliance is met before a license or registration is issued and she issues enforcement actions to gain compliance when necessary. Appellant further explains that for the Motor Fuel Quality Program, she tracks fuel samples, analyzes and interprets test results to assure the fuel meets the American Society for Testing and Materials standards, produces enforcement documents, audits invoices and provides technical information to others regarding the program. Appellant argues that she assists in the development of biennium budget allotments for seven different fund codes, approves all invoices and codes them to the appropriate fund, ensures monthly expenditures are consistent with budget allotments, reconciles incorrect coding and produces budget reports for the review by others. While Appellant acknowledges that

program procedure manuals are available, she points out that the manuals are obsolete and do not accurately reflect the current program processes or her program responsibilities.

Summary of Respondent's Arguments. Respondent argues that Appellant's position is administrative in nature and that while her work is instrumental to the success of the programs, it does not constitute program management. Respondent asserts that Appellant is responsible for administrative tasks including managing paperwork and processes for program components but that her supervisor retains responsibility for management of the programs. Respondent further asserts that when making decisions, Appellant follows prescribed processes and specific guidelines found in program manuals. Respondent recognizes that Appellant oversees and directs some program activities and manages and supervises staff performing program tasks. However, Respondent asserts her supervisor retains responsibility for managing all program activities while Appellant administers program components. Respondent further acknowledges that some of Appellant's program responsibilities may fit with the Program Specialist 3 classification but asserts that an administrative assistant class best encompasses the overall duties she performs. Respondent states that no classification provides a perfect fit for Appellant's position and argues that the position could fit within the Administrative Assistant 3 classification. However, Respondent further explains that the Administrative Assistant 4 level is more appropriate to recognize the higher level duties Appellant performs and to support the organizational structure at AGR.

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

Relevant Classifications. Administrative Assistant 4, class code 112G, and Program Specialist 4, class code 112M.

Decision of the Board. During the hearing on her exceptions, Appellant raised an objection to consideration of the program manuals referenced by Respondent. While Respondent provided

oral argument using the manuals, those documents are not part of the record before Board. When considering an appeal on exceptions, the Board thoroughly reviews the director's review file in its entirety and our decision is based on the record created during the director's review and the oral arguments provided during the exceptions hearing. We give the appropriate weight to documents that are not included in the record. Appellant also raised a concern about her outdated position description. Appellant's position is covered by a collective bargaining agreement which provides the process for resolution of this concern.

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).

Most positions within the civil service system occasionally perform duties that appear in more than one classification. 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 definition for the Program Specialist 4 classification states, in part:

> Positions at this level work under administrative direction, and have organization-wide program management responsibilities, and are recognized as program specialists. For programs with statewide impact, incumbents are specialists who manage two or more components of the program. Incumbents administer, oversee, and direct all program activities and advise public entities and higher level administrative staff on the program components. Program components are comprised of specialized tasks (e.g., reservations, administration, and budget

> coordination) within a specialty program. Incumbents provide and coordinate program activities affecting an essential service within the organization or activities with statewide impact. Incumbents perform a wide scope of complex duties and responsibilities in the management of a program, exercise independent judgment, and have delegated decision-making authority. . . .

The typical work statements for this class describe positions that determine program priorities and set program objectives and standards, as well as develop, revise, implement, interpret, and administer program specific policies, procedures and practices. While Appellant performs specialized discrete tasks for a number of program components and provides input to her supervisor, her position does not include responsibility for determining program priorities, objectives and standards. Rather, Appellant's supervisor retains overall responsibility for managing all program activities. While some of Appellant's responsibilities can be found in the Program Specialist series, the Program Specialist 4 classification is not the best fit for the overall functions of Appellant's position or the majority of her work.

The definition for the Administrative Assistant 4 class provides:

> Positions serve as the assistant on administrative matters to the head of a state agency, the head of a major sub-division or major operating location of an agency, or to the chief administrator or head of a major organizational unit such as a school, college, or major academic/administrative department.

The distinguishing characteristics for the Administrative Assistant 4 provide, in part:

> Positions perform higher-level administrative 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 . . . For general government positions, secretarial or clerical duties are incidental to the administrative functions performed.

Appellant's position best fits within the Administrative Assistant 4 (AA4) definition and distinguishing characteristics. We concur with the director's designee's determination that:

> Ms. Hougan oversees program functions and activities and relieves the Program Manager of performing the administrative tasks for the Weights and Measures, Agriculture Investigations, and Motor Fuel Quality Programs on a statewide basis.

> The majority of her work involves administration of the Commission Merchants, Service Agent and Weighmaster licensing and device registration programs, and she supervises staff supporting these activities. Ms. Hougan manages and tracks biennium budget allotments, approves invoices and codes them to the appropriate program, and ensures monthly expenditures are consistent with budget allotments. Overall, she performs varied and complex work, makes decisions, and acts on behalf of the Program Manager as delegated. When considering the overall size and scope of her position's responsibility and where it fits within the organizational structure, the AA 4 provides the best fit.

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 26, 2013, is affirmed.

DATED this _____ day of _____, 2013.

WASHINGTON PERSONNEL RESOURCES BOARD

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JOSEPH PINZONE, Chair

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NANCY HOLLAND YOUNG, Member