BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

SHAWN BOTTCHER, Appellant, vs. DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Respondent.	CASE NO. R-ALLO-14-001 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, Vice Chair, and NANCY HOLLAND YOUNG, Member, for a hearing on Appellant's exceptions to the director's determination dated January 31, 2014. The hearing was held on April 30, 2014.

Appearances. Appellant Shawn Bottcher was present and was represented by Lewis Woods, Jr., Labor Advocate with the Washington Federation of State Employees. Ellen Andrews, Compensation and Classification Administrator, represented Respondent Department of Social and Health Services (DSHS).

Background. On March 5, 2013, Respondent's Classification and Compensation Unit received an updated Position Description form (PDF) for Appellant's position. The updated PDF was initiated by management as part of a consolidation and reorganization effort of the maintenance operations at Western State Hospital (WSH). The updated PDF reflected the duties assigned to Appellant's position effective April 17, 2013.

By memo dated March 28, 2013, Respondent notified Appellant that his position was being reallocated from the Plumber/Pipefitter/Steamfitter (PPS) Lead classification to PPS class effective April 17, 2013.

On April 9, 2013, the Office of the State Human Resources Director received Appellant's request for a director's review of DSHS's allocation determination. By letter dated January 31, 2014, the director's designee determined that Appellant's position was properly allocated to the PPS classification.

On February 13, 2014, Appellant filed exceptions to the director's designee's determination. Appellant's exceptions are the subject of this proceeding.

Appellant is a skilled, journey-level plumber and is responsible for performing all testing and maintenance activities for all backflow devices for WSH, the Child Study and Treatment Center and JRA Oakridge Group Home. This involves performing all maintenance and testing activities including planning and establishing testing schedules, monitoring, installing, and repairing all backflow devices within his assigned area of responsibility. Appellant is a licensed backflow tester. Prior to the reorganization, Appellant's position was assigned lead responsibilities for a utility worker and a maintenance mechanic. However, following the reorganization, the lead responsibilities were removed from his PDF.

Summary of Appellant's Arguments. Appellant argues that he performs the same work with the same level of responsibility as he had when his position was allocated to the PPS Lead class. Appellant asserts that while the organizational chart changed, his day-to-day work activities and level of responsibility did not. Appellant contends that he is responsible on a daily basis to assign tasks, provide instruction on how to complete tasks and check the work of a utility worker who assists him on projects. Appellant further contends that he occasionally leads a maintenance mechanic who also assists him on projects. Appellant explains that he does not direct the work of helpers, inmates or patients as described in the PPS classification. Appellant argues that his position should be allocated to the PPS Lead classification.

Summary of Respondent's Arguments. Respondent argues that Appellant is no longer responsible to lead the work of others and that, as required by the PPS Lead classification, he does

not lead other plumbers. Respondent explains that Appellant does not assign the staff to work on his projects; rather his supervisor is responsible for determining who works with Appellant on his assignments. Respondent acknowledges that prior to the reorganization Appellant was designated lead responsibility for a utility worker and a maintenance mechanic. However, as a result of the reorganization, the lead responsibilities were removed from Appellant's position and those duties are now performed by Appellant's supervisor. Respondent asserts that the duties and responsibilities of Appellant's position are best described by the PPS classification.

Primary Issue. Whether the director's determination that Appellant's position is properly allocated to the Plumber/Pipefitter/Steamfitter classification should be affirmed.

Relevant Classifications. Plumber/Pipefitter/Steamfitter Lead, class code 621G, and Plumber/ Pipefitter/Steamfitter, class code 621F.

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 Plumber/Pipefitter/Steamfitter Lead class states:

> Leads and performs journey-level plumbing, steamfitting, and/or pipe fitting work.

The distinguishing characteristics for the PPS Lead class state:

> Positions in this class are distinguished by the responsibility to assign and lead work at a project or job location, to instruct other assigned plumbers, to correct and specify methods, and to perform plumbing, steam fitting, and pipe fitting work.

While not allocating criteria, the typical work statements for the PPS Lead class lend support to the type of work performed at this level. The typical work statements include, in part, that positions allocated to the PPS Lead classification "[l]ead assigned personnel in the performance of work."

There is no dispute that Appellant performs skilled, journey-level work. The issue before the Board is whether he has been designated lead responsibilities.

The State Human Resources Glossary of Classification Terms defines "Lead" as: "[a]n employee who performs the same or similar duties as other employees in his/her work group and has the designated responsibility to regularly assign, instruct, and check the work of those employees on an ongoing basis." (Emphasis added.)

Because a current and accurate description of a position's duties and responsibilities is documented in an approved classification questionnaire, the classification questionnaire becomes the basis for allocation of a position. An allocation determination must be based on the overall duties and responsibilities as documented in the classification questionnaire. Lawrence v. Dept of Social and Health Services, PAB No. ALLO-99-0027 (2000). The position description form serves the same purpose as the former classification questionnaire and thus serves as the basis for making a position's allocation determination.

WAC 357-13-045 provides, in part, that the "manager of the position is responsible for completing the position description form. . . ." The PDF for Appellant's position was completed by management and indicates that the position works under the supervision of a Maintenance Supervisor and is not assigned supervisory or lead responsibilities.

We recognize that prior to the reorganization Appellant's position was designated lead responsibilities. However, in the revised PDF created by management following the reorganization, Appellant's position was not designated lead responsibility. In an allocation hearing, the appellant

has the burden of proof. In this case, Appellant provided no documentary proof to support his assertion that he has been designated lead responsibilities. Absent this designation, allocation of Appellant's position to the PPS Lead class is not appropriate.

Appellant's representative argues that the issue presented here should be viewed in light of the Board's decision in Salsberry v. Washington State Parks and Recreation Commission, PRB Case No. R-ALLO 06-013 (2007). However, the thrust of the issue pertaining to lead responsibilities presented in Salsberry, was who the incumbent led, not whether he was designated lead responsibility on an ongoing basis. Salsberry is clearly distinguishable from the issue presented here.

The definition for the Plumber/Pipefitter/Steamfitter classification states: "[p]erforms skilled plumbing and/or steamfitting work." The typical work statements provide, in part, that positions allocated to this class "[m]ay direct and instruct helpers, patients or inmates."

The PPS classification uses the generic term "helpers" to describe persons who may assist a PPS on a project or with a work assignment. Contrary to the assertion of Appellant's representative, the term does not exclude other classified employees from helping a PPS. Directing the work of others includes providing work guidance and direction without the designated responsibility of assigning, instructing and checking the work of others on a regular and ongoing basis. After Appellant's supervisor determines who will assist Appellant, Appellant provides work guidance and direction to the person assigned to work with him. We recognize that on a day-to-day basis, that person is typically the utility worker. However, Appellant's supervisor determines which staff person will be assigned assist Appellant. In addition, Appellant's supervisor has the authority to reassign staff, including the utility worker, to other projects or tasks as he deems necessary. Appellant's responsibility for overseeing the work of the staff assigned to assist him is best described as directing the work of others. The PPS classification encompasses Appellant's responsibility to provide work guidance and instruction to the staff assigned to help him complete his work assignments.

It is clear that Appellant performs highly skilled work and that his certification as a Licensed Backflow Tester is critical to WSH's maintenance operations. However, the overall duties and level of responsibility assigned to his position best fit within the PPS definition. We concur with the director's designee's determination. Appellant's position is properly allocated.

In a hearing on exceptions, the Appellant has the burden of proof. WAC 357-52-110. Appellant has failed to meet his burden of proof.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions is denied and the director's determination dated January 31, 2014, is affirmed.

DATED this _____ day of _____, 2014.

WASHINGTON PERSONNEL RESOURCES BOARD

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DJ MARK, Vice Chair

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NANCY HOLLAND YOUNG, Member