BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

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| ANN MAXWELL,<br>Appellant,<br>vs.<br><br>DEPARTMENT OF SOCIAL AND HEALTH SERVICES,<br>Respondent. | CASE NO. R-ALLO-14-005<br><br>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, NANCY HOLLAND YOUNG, Chair; DJ MARK, Vice Chair; and SUSAN MILLER, Member, for a hearing on Appellant's exceptions to the director's determination dated May 30, 2014. The hearing was held on October 15, 2014.

**Appearances.** Appellant Ann Maxwell was present and was represented by Susanna Fenner, Washington Federation of State Employees Council Representative. Lester Dickson, Classification and Compensation Consultant, represented Respondent Department of Social and Health Services (DSHS).

**Background.** On June 3, 2013, DSHS's Classification and Compensation Unit received Appellant's request for a position review. Appellant asked that her Developmental Disabilities Case/Resource Manager (DDC/RM) position be reallocated to the Social and Health Program Consultant 4 (SHPC4) classification. By letter dated June 21, 2013, Respondent determined that Appellant's position was properly allocated to the DDC/RM classification and denied her request.

On July 17, 2013, the Office of the State Human Resources received Appellant's request for a director's review of DSHS's allocation determination. By letter dated May 30, 2014, the

director's designee determined that Appellant's position was properly allocated to the DDC/RM classification.

On June 25, 2014, Appellant filed exceptions to the director's designee's determination. Appellant's exceptions are the subject of this proceeding.

Appellant works in the Quality Assurance Section of the Developmental Disabilities Administration (DDA) for Region 2 South Field Services. Appellant is a resource manager and coordinates Adult Family Home social services such as placement of clients in homes; working with providers to ensure the health, safety and well-being of clients; and coordinating training and resources for Adult Family Home providers.

**Summary of Appellant's Arguments.** Appellant argues that she conducts audits and provides oversight of adult family homes, develops corrective action plans, and assures that the homes are providing the required services to clients and that they have the required training and licenses. When visiting homes, Appellant explains that she looks at a broad range of items such as checking whether a client's care assessment and diagnoses match, assuring the home is safe and includes smoke detectors and carbon monoxide alarms, looking at clients' nutrition and how they are eating, checking for guardianship papers, assuring staff have first aid cards and determining whether training is needed for the provider and/or staff. When she identifies an issue, she outlines how to correct it and she passes the information on to the case manager, the adult family home and the supervisor as appropriate. Appellant argues that she is the region point of contact for coordinating referrals to adult family homes and lining up services for the DD clients in the home. She keeps track of all vacancies and meets with the Adult Family Home team weekly to review new referrals. Appellant argues that she is the resource for the team and works closely with Residential Care Services if homes are closed or if a home is under a stop placement order. Appellant asserts that she performs the duties of a case resource manager as well as the duties expected of the performance and quality improvement staff. Appellant contends that her duties and responsibilities are best described by the SHPC4 classification.

**Summary of Respondent's Arguments.** Respondent argues that all positions can conduct audits but asserts that the SHPC class deals with contractual or regulatory oversight which Appellant does not do. Respondent contends that Appellant gathers information for adult family homes and looks at individual client needs and interests then works with the case manager to find the home that best fits the client. Respondent acknowledges that Appellant visits adult family homes and makes sure they have the appropriate training, recommends training and assures that everything is going okay for the client within the home. However, Respondent asserts that Appellant's duties do not include a regulatory function; rather, she provides support to adult family homes, makes good placements to the homes, acts as a resource for providers and supports providers with training. Respondent explains that Appellant works with case managers to assure they have the most current information and if there is a problem, she goes to the case manager who reports ultimately to the regional administrator. Respondent argues that Appellant does not determine client eligibility; rather, she determines if the adult family home can meet the needs of the client. Respondent contends that the director's determination correctly found that Appellant's position should remain allocated to the DDC/RM classification.

**Primary Issue.** Whether the director's determination that Appellant's position is properly allocated to the Developmental Disabilities Case/Resource Manager classification should be affirmed.

**Relevant Classifications.** Developmental Disabilities Case/Resource Manager, class code 351U, and Social and Health Program Consultant 4, class code 349H.

**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 Social & Health Program Consultant 4 states:

> (1) Serves as a designated specialist for client eligibility for social services, the training of staff who conduct client eligibility assessments, and the monitoring of staff and staff processes in meeting state and federal policies and regulations. Conducts quality assurance audits and reviews responses to quality assurance audits, as necessitated by legal, statutory, or legislative requirements. Reviews and approves corrective action plans.
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> OR
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> (2) Oversees the intake and coordination of client cases to include acting as the liaison with internal DSHS entities and external entities such as law enforcement, the courts, attorneys, and community-based social service organizations, and monitors these cases through the abuse, neglect, or financial exploitation hearings process to ensure the health, safety, and well-being of vulnerable children and adults.

Appellant's position does not meet the definition of the SHPC1 classification. She does not determine client eligibility for services or monitor staff processes. While she does conduct home visits, have oversight of adult family homes and assures clients are receiving appropriate care, she does not conduct quality assurance audits necessitated by legal, statutory or legislative requirements or review and approve corrective action plans based on the results of those audits. Further, Appellant does not oversee the intake and coordination of client cases. Rather, her work is focused on supporting adult family home providers and the services they provide to clients. Her position does not meet the breadth or scope of the second option for allocation to this class.

The definition of the Developmental Disabilities (DD) Case/Resource Manager states:

> Within the Division of Developmental Disabilities, provides advanced level of social services, specialized case and/or resource management for people who have developmental disabilities and their families.

Appellant's position is located in the Division of Developmental Disabilities where she provides specialized resource management for clients regarding their placement and care in adult family homes. The overall duties and level of responsibility assigned to Appellant's position best fit within the definition of the Developmental Disabilities Case/Resource Manager classification. We concur with the director's designee's determination that Appellant's position should remain allocated to the Developmental Disabilities Case/Resource Manager 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 by Ann Maxell is denied and the director's determination dated May 30, 2014, is affirmed.

DATED this _____ day of _____, 2014.

WASHINGTON PERSONNEL RESOURCES BOARD

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NANCY HOLLAND YOUNG, Chair

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DJ MARK, Vice Chair

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SUSAN MILLER, Member