BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

DEBRA MOLGAARD, Appellant, vs. DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Respondent	CASE NO. R-ALLO-18-027 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 (appearing by telephone), Chair, and SUSAN MILLER, Member, for a hearing on Appellant's exceptions to the Director's Determination dated November 15, 2018. The hearing was held on March 12, 2019, at Room 110, Capitol Court, 1110 Capitol Way, in Olympia, Washington.

Appearances. Appellant Debra Molgaard was present and represented by Teresa Parsons; Classification and Compensation Specialist, Angie Simpson; Council Representative, and Craig Gibelyou; Shop Steward, Washington Federation of State Employees (WFSE). Respondent Department of Social and Health Services (DSHS) was represented by Dorothy Hibbard, Classification and Compensation Specialist.

Background. On August 31, 2017, Appellant submitted a Position Review Request to DSHS Human Resources (HR) Office requesting reallocation from a Secretary Senior (SS) to an Administrative Assistant 3 (AA3). By memorandum dated January 8, 2018, Dorothy Hibbard, DSHS Classification & Compensation Specialist, notified Respondent that her position was to remain classified as a SS, denying request for reallocation to AA3.

WASHINGTON PERSONNEL RESOURCES BOARD
PO BOX 40911
OLYMPIA, WA 98504-0911

On January 25, 2018, Office of Financial Management, State Human Resources (OFM-SHR) received a Request for Director Review.

The Director's Review Specialist conducted a review of Appellant's position determination based on written documentation. By letter dated November 15, 2018, the Director's Review Specialist determined the most appropriate allocation for Appellant's position was the Secretary Senior classification.

On December 14, 2018, Appellant filed timely exceptions to the Director's Determination.

As summarized by the Director's Review Specialist, Appellant's position is located within Department of Social and Health Services, (DSHS), at Western State Hospital. Appellant performs her duties under the Chief Medical Officer, James A. Polo, WMS Band 3.

Summary of Appellant's Arguments. Appellant asserts she works independently with no supervision and argued she is relied upon to understand and support staffing coverage of areas, to include tracking leave of doctors and scheduling doctors to cover assigned ward areas. Appellant further argued Respondent supported a classification to Administrative Assistant 3, based on initial submission January 27, 2016, and disagrees with the Respondent's review and determination her position remain a Secretary Senior. Appellant disagrees with Director's Review Specialist's decision to affirm her position remain a Secretary Senior. Appellant contends the level and scope of responsibility meets the definition of Administrative Assistant 3 classification.

Summary of Respondent's Arguments. Respondent asserts the Position Review Request was not signed and endorsed by the supervisor and Executive Director. Respondent argues management holds substantial weight on duties assigned and disagrees with the accuracy and completeness of duties performed by the Appellant. Respondent agrees some duties overlap Administrative

WASHINGTON PERSONNEL RESOURCES BOARD
PO BOX 40911
OLYMPIA, WA 98504-0911

Assistant series classification, specifically the various clerical and secretarial duties encompassed in the Secretary Senior classification. Respondent contests the points stated by Appellant and asserts the duties assigned are specific to organization of work, travel request fulfillment for staff, filing of reports submitted by senior staff, in addition to modifying databases to ensure the goals of the unit are met.

Primary Issue. Whether the Director's Determination should be affirmed and Appellant should remain a Secretary Senior classification.

Relevant Classifications. Secretary Senior (SS), Administrative Assistant 1 (AA1), Administrative Assistant 2 (AA2), and Administrative Assistant 3 (AA3).

Definition of SS

> Perform complex secretarial duties such as independently planning, organizing and prioritizing work, monitoring and evaluating budget(s) status and initiating corrections, developing travel itineraries, compiling reports, studies, and/or applications, developing, modifying, and/or maintaining data base management, office record keeping, or filing system(s), establishing office procedures, standards, priorities, and deadlines, and coordinating office operations. Positions initiate action to ensure work unit and/or office goals are met and have frequent contacts with clients, the public, staff members from other departments, students, and faculty.
>
> Assignments and projects are of a complex nature. Independent performance of complex secretarial assignments requires substantive knowledge of a variety of regulations, rules, policies, procedures, processes, materials, or equipment. Problems are resolved by choosing from established procedures and/or devising work methods. Guidance is available for new or unusual situations. Deviation from established parameters requires

approval. Work is periodically reviewed to verify compliance with established policies and procedures.

Definition of AA 1

Provides para-professional administrative and staff assistance to a professional supervisor by reviewing, controlling, prioritizing and coordinating the work of the supervisor's professional staff; or performs technical work which is directly delegated from a professional position.

Distinguishing Characteristics

Administrative Assistants can be distinguished from clerical positions by the formal delegation and regular exercise of the following responsibilities:

- reviewing the work of professional staff for completeness, to assure that input-output is in compliance with laws, rules, policies, procedures and standards;
- controlling the professional staff's work by directing changes, corrections and authorizing exceptions to ensure compliance with the supervisor's schedules and priorities;
- prioritizing the professional staff's workload within established guidelines; and
- coordinating the professional staff's work within an agency, between agencies, with the public and/or other governmental entities.

<u>OR</u>

The technical work addressed in the definition is distinguished by a professional position fully delegating a technical portion of the position's duties which in turn encompasses the majority of the Administrative Assistant's work and can be traced to originate directly from a professional position's duties and responsibilities.

Administrative Assistant positions do not report to a Clerical Supervisor. Their work is not clerical or secretarial as stated in those class specifications. However, only positions at this level

WASHINGTON PERSONNEL RESOURCES BOARD
PO BOX 40911
OLYMPIA, WA 98504-0911

in the class series may be assigned some clerical and/or secretarial duties not to exceed 25% of the total work.

Definition of AA 2

Provide administrative and staff support services for a section or unit with delegated authority to act in supervisor's absence in areas of substance.

Distinguishing Characteristics

These positions may be distinguished from lower level classes by addition of the delegation of authority to act for or in the regular place of the superior in substantive areas, and/or supervision of some professional or several clerical subordinates and a formal reporting alignment identifying the position as the principal administrative assistant to the superior who is at the first professional supervisory level or above.

Definition of AA 3

Positions perform varied administrative and secretarial support duties or positions are responsible for one or more major program activities under a second line supervisor.

Distinguishing Characteristics

Positions are delegated higher-level administrative support duties or positions are delegated one or more major program activities that would be performed under a second-level professional supervisor, manager or administrator in WMS Band II or above or in exempt service, chief administrator, or head of a major organizational unit such as a school, college, or major academic or administrative department. Only one position will be allocated to an individual second-line supervisor for those positions performing one or more major program activities.

A major program activity is defined as a function that is a major element of the supervisor's job. The duty must stand alone and would create significant adverse consequences if poorly performed. However, full delegation can't occur if the supervisor's position requires specialized licensure such as attorneys, medical doctors, and engineers.

Higher-level administrative duties are 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. Areas may include but are not limited to, the following: budget development and/or management, expenditure control, office space management, equipment purchases, public relations, personnel administration, records management, and report preparation.

Incumbents in these positions represent the supervisor's and/or unit's goals and interests and provide interpretation or explanation of the supervisor's policies or viewpoints.

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)).

Allocating criteria consists of the class specification's class series concept (if one exists), the definition and the distinguishing characteristics. [1] Typical work is not an allocating criterion, but

[1] (See *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020 (2008))

may be used to better understand the definition or distinguishing characteristics. (See *Kristin Mansfield vs. Department of Fish and Wildlife,* PRB Case No. R-ALLO-11-014 (2011)).

The following standards, in descending order, are the hierarchy of 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. [1]

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)).

This hearing was scheduled for consideration of exceptions filed with Board. The Board carefully reviewed the documentation submitted during the Director's Review and the arguments presented by the parties at the hearing.

The Board found the Appellant's duties are routine in nature and the performance of duties do not meet the AA3 definition. The Board does not find the Appellant's level of responsibility covers one or more major program activities designated by or under a second line supervisor,

[1] (See *Norton-Nader v. Western Washington University,* PRB Case No. R-ALLO-08-020 (2008))

WASHINGTON PERSONNEL RESOURCES BOARD
PO BOX 40911
OLYMPIA, WA 98504-0911

distinguished by stand-alone responsibilities that would create significant adverse consequences if performed poorly.

The Board finds the Respondent was correct in determining the level of responsibilities and duties assigned, thus meeting the definition of Secretary Senior.

In a hearing on exceptions, the Appellant has the burden of proof (WAC 357-52-110). Appellant has not met the burden of proof.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED the appeal on exceptions filed by Debra Molgaard is denied and Appellant's position remains allocated to Secretary Senior.

DATED this 30th day of April, 2019.

WASHINGTON PERSONNEL RESOURCES BOARD

Nancy Holland Young

NANCY HOLLAND YOUNG, Chair

Susan L. Miller

SUSAN MILLER, Member

WASHINGTON PERSONNEL RESOURCES BOARD
PO BOX 40911
OLYMPIA, WA 98504-0911