BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

TERINA CLARK, et al Appellant, v. DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES Respondent.	PRB CASE NO. R-ALLO-18-016 ORDER OF THE BOARD FOLLOWING HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This matter came before the Personnel Resources Board, NANCY HOLLAND YOUNG, Chair, telephonically, and SUSAN MILLER, Member, on Appellant's exceptions to the Director's determination dated August 21, 2018. On January 16, 2019, the hearing was held at the Capitol Court building, 1110 Capitol Way South, Olympia, Washington.

Appearances. Appellant, Terina Clark, was present telephonically. Respondent, Department of Children, Youth, and Families (DCYF) was represented by Nancy Jacobski, Classification and Compensation Manager, and Yolanda Geolingo, Classification and Compensation Specialist for Department of Social and Health Services. Also present to observe was Bev Yokoyama, DCYF.

Background. On November 17, 2017, Appellants submitted Position Review Requests to Department of Social and Health Services (DSHS) HR requesting their positions be reallocated from Social & Health Program Consultant 2 to Social & Health Program Consultant 3. On February 15, 2018, a desk audit was conducted by Yolanda Geolingo, Classification and Compensation Specialist, DSHS. Ms. Geolingo emailed clarifying questions to the appellants as well as the Regional Licensing Supervisors Amber Salzer, Janelle Weaver, Ernest Blackwell, Melissa Fielding and Donna Brantner. By letter dated February 16, 2018,

Ms. Geolingo, notified the appellants their request to be reallocated to a SHPC 3 had been denied. On March 15, 2018, the Office of Financial Management, State Human Resources received the Appellants' request for Director's review of DSHS HR's allocation determination. On September 24, 2018, an appeal was filed with the Personnel Resources Board.

Summary Position Objective. As summarized in the Director's review, Appellants serve as Social and Health Program Consultant 2s within Department of Children, Youth, and Family Services, formerly Department of Social and Health Services, located at various locations throughout Washington State. Appellants serve as licensors of child placing agencies and their certified foster homes, group care facilities, staff residential homes, maternity services, overnight youth shelters, day treatment programs, crisis residential centers, and emergency respite centers.

Summary of Appellants' Arguments. Appellants contend they perform at the same level as the SHPC 3s in their work group, not as DCYF employees, but vendor employees who are a team of professional-level staff and families. Appellants assert that there is no evidence the organizational chart of SHPC 3 Position Description Forms (PD), was considered in the Director's determination, and the exclusion of the chart was prejudicial, as the chart clearly demonstrates, in practice, many SHPC 3 positions are not identified as "lead positions." Appellants argue the Director's Review Specialist combined the language of the SHPC 3 definition of a "designated lead worker" with the more restrictive definition of a "lead" in the OFM SHR *Glossary of Terms*.

Appellants argue the Director's Review Specialist appeared to give inordinate weight to DSHS HR's presentation, including the understanding of the definitions of "work unit" or "work group." Appellants assert the meaning of "lead work" in the SHPC 3 classification is broader than the definition of "lead" in the *Glossary of Classification Terms,* and although the "lead position" box on their PD is not checked, that has been the practice statewide. Appellants believe that whether they were identified by DSHS as lead workers or not, their duties and responsibilities meet the

Social & Health Program Consultant 3

Definition

Within the social service system, these positions serve as a designated lead worker, directing and monitoring the activities of a team comprised of professional level social service staff, other professional staff, families, and the community in providing guidance to families that are at risk of dependency and/or serving clients with severe and intense social service needs. These positions also develop, administer, and/or monitor social, financial, or health services programs or the program policies and procedures used by staff or vendors.

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).

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 Board carefully reviewed the documentation submitted during the Director's review and considered the arguments presented by the parties at the hearing before the Board.

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In *Norton-Nader vs. Western Washington University*, PRB Case No. R-1LLO-08-020 (2009), the Personnel Resources Board stated that 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.

The Board looked to the definition of "lead" from the *Glossary of Classification Terms*, which states: "An 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."

Although Appellants argue they perform at the same level as the SHPC 3s in their work group, according to *Dudley v. Dept. of Labor and Industries*, the Board cannot consider the duties and responsibilities of SHPC 3s and allocation must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The Board determined that Appellants do not assign, instruct and check work of fellow employees. Additionally, Appellants are not designated as leads according to their position descriptions and do not perform as lead workers. Based on the hierarchy outlined in *Norton-Nader vs. Western Washington University*, Appellants do not meet the definition for SHPC 3. The entirety of Appellants' duties performed are consistent with SHPC 2 level work.

In a hearing on exceptions, the Appellants have the burden of proof (WAC 357-52-110). The Appellants have not met their burden of proof.

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ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions is denied, and the Appellants' positions remain allocated to Social & Health Program Consultant 2.

DATED AND MAILED this 27 day of February, 2019.

WASHINGTON PERSONNEL RESOURCES BOARD

Nancy Holland Young

NANCY HOLLAND YOUNG, Chair

Susan L. Miller

SUSAN MILLER, Member