BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

JERRY L. FRANKLIN Appellant, v. DEPARTMENT OF ECOLOGY Respondent.	PRB CASE NO. R-ALLO-18-011 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 July 9, 2018. On January 16, 2019, the hearing was held at the Capitol Court building, 1110 Capitol Way South, Olympia, Washington.

Appearances. Appellant, Jerry Franklin, was present and represented by Jenny Ho from the Washington Federation of State Employees. Respondent, Department of Ecology (ECY), was present and represented by Barbara Vane, Human Resource Consultant 4, and Brian Lynn, Coastal and Shorelines Manager. Also present to observe was Leialani Jensen, Department of Ecology HR.

Background. On June 27, 2017, Appellant submitted a Position Review Request (PRR) to Department of Ecology HR requesting his position be reallocated to the Information Technology Specialist (ITS) 4 classification. On October 3, 2017, Ecology HR notified Appellant his position would remain allocated to the ITS 3 classification. On October 25, 2017, the Office of Financial Management, State Human Resources received Appellant's Request for Director's Review of Ecology HR's allocation determination. Subsequently, on August 6, 2018, the Appellant filed an appeal with the Personnel Resources Board.

Summary Position Objective. According to the organizational chart, this position works under the Shorelands and Environmental Assistance Program within Ecology. Appellant reports to Scott McKinney, State Coordinator. This position serves as the agency Risk Mapping (RiskMAP) Analysis and Planning Coordinator, specifically flood hazard mapping and flood risk analysis statewide. This position is a senior-level professional spatial database administrator and IT specialist providing program leadership, training, expertise, and technical assistance to projects, programs, and agency applications. This position independently manages spatial data, performs risk assessments, collects, integrates, and distributes data, develops mapping applications and tools to local governments, state and federal agencies, and other client groups.

Summary of Appellant's Arguments. Appellant disagrees with the Director's determination which states Appellant does not apply technical knowledge to resolve complex IT-related tasks. Appellant argues since 2010 he has applied increasingly advanced technical knowledge to provide IT products and support to Ecology staff, and through applications, he has developed a way for users to view and interact with data in real time. Appellant contends his work developing, coding, testing and implementing the applications is typical ITS 4 work and takes up approximately 80% of his work time. Appellant asserts the majority of his time is spent on project management, quality assurance, troubleshooting and problem resolution. Additionally, Appellant asserts he builds these applications from scratch, managing the entire process of developing the applications and during the process he continuously tests and evaluates the application, creating new functions based on feedback.

Appellant disagrees with the Director's determination stating Cartographer 3 is an appropriate allocation for him because Cartographers do not develop IT products nor do they provide the advanced analysis GIS specialists do. Appellant contends as a senior-level specialist, he understands how to translate business needs into technical requirements to accomplish work and he is responsible for the IT architecture, which initiates the process of developing IT

applications. Appellant is responsible for all IT-related outcomes in the RiskMAP program and is the sole IT support for the floodplain management work unit. Appellant asserts his supervisor, Mr. McKinney, fully supports his reallocation to ITS 4.

Summary of Respondent's Arguments. Respondent is not in disagreement with the decision of the Director's designee to allocate Appellant to Cartographer 3. Respondent confirms on June 27, 2017, Appellant requested reallocation from ITS 3 to ITS 4 and on October 3, 2017, Ecology HR provided Appellant with a decision letter denying his request based upon the findings the majority of the time Appellant's assigned duties did not fall within ITS 4 classification and did not meet the required definition in the ITS 4 job classification.

Respondent asserts the Agency did not take action to reallocate Appellant out of the IT series pending outcome of the recommendations by State HR, but the Cartography 3 position, as outlined in Ecology's letter, was reviewed as part of Ecology's analysis. Appellant's PRR was received June 27, 2017, three years after the beginning of the 2014 IT classification review. Appellant's position was, and still is, included in that statewide classification IT review and was submitted for evaluation and placement as recommended by State HR. Department of Ecology did not think it was appropriate to reallocate Appellant's position out of the IT classification review pending the outcome of State HR's recommendation for all IT positions under review.

Brian Lynn, Coastal and Shorelines Manager, asserts the tasks outlined under ITS 3 classification are basic work performed by anybody doing GIS mapping work. The work described in the PD in question here reflects higher-level work consistent with the ITS 4 classification. The work Appellant performs is more technical and he is considered a developer and administrator and is the sole person for RiskMAP statewide. Appellant is the contact for communities, local agencies and FEMA on the RiskMAP program. Mr. Lynn states that he believes personnel staff are the agency experts responsible for making the classification

decisions, but asserted, "The view at the program level and the people doing the work down in the field, again, not classification specialists, was that the higher-level work described in the IT class was appropriate."

Primary Issue. Whether the Director's determination should be affirmed in that Appellant's position should be reallocated to Cartographer 3.

Relevant Classifications. Cartographer 3, IT Specialist 3 and IT Specialist 4.

Cartographer 3

Definition

Performs professional cartography projects and/or activities providing geographic products, services and/or information using conventional and/or computerized methods.

Distinguishing Characteristics

Performs journey-level work. Independently produces custom maps or map/data products or develop procedures when accuracy requirements are subjective or data involves a large number of variables. Seeks assistance or guidance from higher-level professionals for unusually complex or unique map/data products.

IT Specialist 3

Definition

In support of information systems and users in an assigned area of responsibility, independently performs consulting, designing, programming, installation, maintenance, quality assurance, troubleshooting and/or technical support for applications, hardware and software products, databases, database management systems, support products, network infrastructure equipment, or telecommunications infrastructure, software or hardware.

Uses established work procedures and innovative approaches to complete assignments and coordinate projects such as conducting needs assessments; leading projects; creating

installation plans; analyzing and correcting network malfunctions; serving as system administrator; monitoring or enhancing operating environments; or supporting, maintaining and enhancing existing applications.

The majority of assignments and projects are moderate in size and impact an agency division or large workgroup or single business function; or internal or satellite operations, multiple users, or more than one group. Consults with higher-level technical staff to resolve complex problems.

IT Specialist 4

Definition

Performs analysis, system design, acquisition, installation, maintenance, programming, project management, quality assurance, troubleshooting, problem resolution, and/or consulting tasks for complex computing system, application, data access/retrieval, multi-functional databases or database management systems, telecommunication, project or operational problems.

As a senior-level specialist in an assigned area of responsibility and/or as a team or project leader, applies advanced technical knowledge and considerable discretion to evaluate and resolve complex tasks such as planning and directing large-scale projects; conducting capacity planning; designing multiple-server systems; directing or facilitating the installation of complex systems, hardware, software, application interfaces, or applications; developing and implementing quality assurance testing and performance monitoring; planning, administering, and coordinating organization-wide information technology training; acting as a liaison on the development of applications; representing institution-wide computing and/or telecommunication standards and philosophy at meetings; or developing security policies and standards.

Incumbents understand the customer's business from the perspective of a senior business person and are conversant in the customer's business language. Projects assigned to this level impact geographical groupings of offices/facilities, and/or regional, divisional, or multiple business

units with multiple functions. The majority of tasks performed have wide-area impact, integrate new technology, and/or affect how the mission is accomplished.

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).

It is important, prior to the Board making its final determination, to address a topic that arose during the hearing on exceptions. The new Information Technology (IT) Structure was mentioned during the hearing, however, the new IT structure is immaterial to this proceeding and bears no weight on the Board's final determination.

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.

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.

Although Respondent asserts it is not in disagreement with the Director's Review Specialist's decision to reallocate Appellant to Cartographer 3, the Board considered the Appellant's argument that he spends approximately 80% of his time operating IT hardware and software, much of which is supported and administered by him. The IT Specialist 4 definition states in relevant part, "As a senior-level specialist in an assigned area of responsibility and/or as a team or project leader, applies advanced technical knowledge and considerable discretion to evaluate and resolve complex tasks such as planning and directing large-scale projects; conducting capacity planning; designing multiple-server systems; directing or facilitating the installation of complex systems, hardware, software, application interfaces, or applications. . ."

The Board determined the Appellant works independently and is solely responsible for all of the IT decisions and business-related functions, which are required elements of the Shorelands and Environmental Assistance program. The Board considered Appellant's work on the RiskMAP program as well as the Appellant's work on all five levels of the IT Pyramid.

Under direct questioning by the Board Appellant stated he creates, develops and implements complex programs, such as RiskMAP, without supervision or direction, and performs complex ITS 4 work.

In a hearing on exceptions, the Appellant has the burden of proof (WAC 357-52-110). The Appellant has met his burden of proof.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Jerry Franklin is granted and Appellant is reallocated to an ITS 4.

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