

1 On January 20, 2015, Appellant filed timely exceptions to the director's determination. In his
2 exceptions, Appellant indicated the scope of his work best fits the duties of the TE 2 job class.
3 Appellant's exceptions are the subject of this proceeding.

4
5 On September 1, 2015, after he submitted an appeal, Appellant moved from Documentation
6 Engineer to an Inspection position. As such, the time period for this review is September 24, 2013,
7 the date the reallocation request was received by DOT HR, through August 31, 2015, Appellant's
8 last day as Documentation Engineer.

9
10 As summarized in the director's review, Appellant is responsible for independently certifying
11 materials used for Washington DOT's transportation projects.

12 13 **Summary of Appellant's Arguments.**

14
15 Appellant maintains that the duties of his position are consistent with the TE 2 job class and takes
16 exception to the director's determination in several areas:

- 17 • The director's review stated the Project Engineer, Dave Crisman, reviewed
18 deferred payments for Appellant when contractors deviated from the
19 specifications. Appellant asserts this is not true because Mr. Crisman does not
20 oversee or approve his decisions, rather Appellant states he is the contact person
21 for all material submittals. Appellant contends he is responsible for returning
22 incomplete or incorrect materials and handling other variances from contracts.
- 23 • The director's review stated Appellant performs transportation engineering work
24 under general supervision, but did not place enough importance on this fact.
25 Appellant argues that by verifying and interpreting submittals and other material
26 documentation and advising inspectors and testers in the field, he is performing
27 engineering work consistent with the definition of TE 2.

- The director's determination stated that Appellant's supervisor, Joanne Walker, Office Engineer, spot-checked his work, provided assistance when problems arose and reviewed his completed work. Appellant argues that while Ms. Walker spot-checked his work and set deadlines, she did not provide assistance when problems arose. Rather, Appellant maintains that Ms. Walker relied on him to certify materials and she was not able to provide assistance in this area.
- Appellant asserts the director's determination failed to recognize the scope and responsibility of Appellant's work and the independent engineering judgement required to certify materials per standard specifications. Appellant contends that the independence and complexity of his work is illustrated in part through the analysis of Requests for Approval of Materials (RAM) where he deciphers and applies correct codes from the Qualified Product List (QPL) containing 72 different acceptance action requirements. From here Appellant states he decides if material submittals are correct, incorrect or incomplete; and potentially provides his signature indicating his approval; or returns them to the contractor with an Acceptance Action Document. All this, argues Appellant, is beyond the scope of the TT 3 job class and requires application of engineering principles around transportation materials.
- Appellant contends the director's determination failed to give adequate consideration to the fact that his name was put on the position description (PD) of Delbert Sparks, a TE 2 in position number 11494, but in HRMS Appellant remained in position 10399 as a TT3. Appellant further contends that when Respondent changed the position number to 10399 on his PD, the job duties remained identical to the TE 2 PD, but his title was changed to a TT 3.

Summary of Respondent's Arguments.

Respondent contends that Appellant performs duties consistent with the TT 3 job class. Respondent further contends that Appellant approves sources and material documentation consistent with the

1 “Office” portion of typical work listed in the class specification which states: “...approval of
2 sources and materials documentation...” Respondent acknowledges that Appellant is skilled at his
3 work, fitting the definition of TT 3 which states, “This is the skilled journey level within the
4 Transportation Technician series.”

5
6 **Primary Issue.** Whether the director’s determination should be affirmed in that Appellant’s position
7 should remain at the TT 3 job class.

8
9 **Relevant Classifications.** Transportation Technician 3; Transportation Engineer 2.

10
11 **Decision of the Board.** The purpose of a position review is to determine which classification best
12 describes the overall duties and responsibilities of a position. A position review is neither a
13 measurement of the volume of work performed, nor an evaluation of the expertise with which that
14 work is performed. A position review is a comparison of the duties and responsibilities of a
15 particular position to the available classification specifications. This review results in a
16 determination of the class that best describes the overall duties and responsibilities of the position.
17 See *Liddle-Stamper v. Washington State University*, PAB Case No. 3722-A2 (1994).

18
19 Most positions within the civil service system occasionally perform duties that appear in more
20 than one classification. However, when determining the appropriate classification for a specific
21 position, the duties and responsibilities of that position must be considered in their entirety and
22 the position must be allocated to the classification that provides the best fit overall **for the**
23 **majority of the position’s duties and responsibilities.** (Emphasis added). *Dudley v. Dept. of*
24 *Labor and Industries*, PRB Case No. R-ALLO-07-007 (2007).

25 The definition for the TE 2 classification states:

26 Performs transportation engineering work under general supervision.

27
28 The definition for the TT 3 classification states:

1 This is the skilled journey level within the Transportation Technician series.

2
3 The distinguishing characteristics for the TE 2 classification states:

4 Work at this level is characterized by the independent application of standard engineering
5 procedures and techniques to accomplish a wide variety of work in the office, laboratory,
6 and/or field. Incumbents generally serve as full production staff or crew leaders. Work is
7 assigned through general instructions and the setting of deadlines by a supervisor who
8 engages in ongoing spot-check review, provides assistance when problems are
9 encountered and reviews completed work. This role may include the leadership of
10 technical support staff and entry level engineers such that incumbents are called upon to
11 direct and train staff.

12 The distinguishing characteristics of the TT 3 states:

13 In the office, laboratory and/or field, incumbents perform skilled technical tasks in support
14 of engineering projects and programs. Incumbents typically receive instructions about the
15 work to be done including scheduling and priorities, but work with relative independence
16 in selecting methods and resolving routine problems. Employees at this level are expected
17 to exercise initiative and judgment in independently carrying out assignments according to
18 established policies, procedures and standards. When solutions are not readily attainable,
19 the employee refers the problem to the supervisor. Leadership responsibility is normally
20 limited to on-the-job training of other technical staff. May act as crew leader on specific
21 assignments that do not require ongoing direction from a supervisor.

22
23 We have carefully reviewed the documentation submitted during the director's review and
24 considered the arguments presented by the parties at the hearing before the Board. Allocating
25 criteria consist of the class specification's class series concept (if one exists), the definition and
26 the distinguishing characteristics. Typical work is not an allocating criterion, but may be used to
27 better understand the definition or distinguishing characteristics.

1 The Board has considered all Appellant's exceptions to the director's determination and finds the
2 duties of this position best fit the definition and distinguishing characteristics of the TE 2.

3 Appellant performs transportation engineering work, consistent with the definition of TE 2.
4 Unlike the distinguishing characteristics of the TT 3 where incumbents work under established
5 policies, procedures and standards, Appellant goes outside of established policies, procedures and
6 standards in the material certification process. When solutions are not readily attainable,
7 Appellant does not rely on his supervisor as the TT 3 distinguishing characteristics indicate, rather
8 relies on his own expertise or seeks out appropriate subject matter experts for solutions.

9
10 Additionally, WAC 357-13-030 states: "employers must maintain a current position description
11 for each position."

12
13 WAC 357-13-040 states, in relevant part:

14 Each position description must:

15 (1) List the primary duties and responsibilities currently assigned to the position

16 ...

17 In April 2010, Appellant's name was put on the PD of Mr. Sparks, a TE 2. This PD containing
18 Appellant's name was officially signed by Ms. Walker, Mr. Crisman and Appellant. In August
19 2013, Appellant's PD job title was changed from TE 2 to TT 3, the position number was
20 corrected, yet the duties remained identical to the previous TE 2 PD.

21
22 In accordance with WAC 357-13-040, the Board assumes the PD containing Appellant's name
23 included his current duties and responsibilities. Appellant's assigned duties appear to have fit the
24 class specification of a TE 2 in 2010 and in the subsequent updates through the last PD in 2013.
25 As such, Appellant has not only proved he performs work consistent with the definition and
26 distinguishing characteristics of a TE 2, but has a PD indicating so.

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

3
4 **ORDER**

5 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Lloyd Chase is
6 granted, the director's determination is reversed, and Appellant's position is reallocated to the
7 Transportation Engineer 2.

8 DATED this _____ day of _____, 2015.
9

10 WASHINGTON PERSONNEL RESOURCES BOARD
11

12
13 _____
NANCY HOLLAND YOUNG, Chair

14
15 _____
SUSAN MILLER, Vice Chair

16
17
18 _____
VICKY BOWDISH, Member
19
20
21
22
23
24
25
26
27
28