

1 **BEFORE THE PERSONNEL RESOURCES BOARD**

2 **STATE OF WASHINGTON**

|  |                               |
|--|-------------------------------|
| 3 Department of Social and Health Services ) |                               |
| 4 Appellant, )                               | CASE NO. R-ALLO-15-017        |
| 5 vs. )                                      |                               |
| 6 Jennifer Brascher, )                       | ORDER OF THE BOARD            |
| 7 Respondent. )                              | FOLLOWING HEARING ON          |
|  | EXCEPTIONS TO THE             |
|  | DETERMINATION OF THE DIRECTOR |

9 **Hearing on Exceptions.** This appeal came before the Personnel Resources Board, NANCY  
10 HOLLAND YOUNG, Chair; SUSAN MILLER, Vice Chair; and VICKY BOWDISH, Member, for  
11 a hearing on Appellant’s exceptions to the director’s determination dated June 10, 2015. The hearing  
12 was held on October 14, 2015.

13  
14 **Appearances.** Appellant Department of Social and Health Services (DSHS) was represented by  
15 Lester Dickson, Classification and Compensation Specialist. Respondent Jennifer Brascher was  
16 present and was represented by Suzanna Fenner of the Washington Federation of State Employees  
17 (WFSE).

18  
19 **Background.** Respondent requested reallocation of her Program Specialist 3 position by submitting  
20 a Position Review Request (PRR) to DSHS Human Resources (HR). In her PRR, Respondent  
21 requested reallocation to Program Specialist 4.

22  
23 On October 31, 2014, Appellant notified respondent that her position was allocated to a Social and  
24 Health Program Consultant 2 (SHPC 2), not to a Program Specialist 4. On November 25, 2014,  
25 Respondent submitted a request to OFM State HR for a director’s review of DSHS’s determination.

26  
27 By letter dated June 10, 2015, the director’s designee determined that Respondent’s position  
28 should be reallocated to Program Specialist 3.

1 On July 9, 2015, Appellant filed timely exceptions to the director's determination. In their  
2 exceptions, Appellant indicated the scope of Respondent's work best fits the duties of the SHPC  
3 2. Appellant's exceptions are the subject of this proceeding.

4  
5 As summarized by Respondent in the Position Review Request, Ms. Brascher works in the  
6 Business Analysis Unit in the Division of Residential Care Services at DSHS. Respondent  
7 exercises delegated decision-making authority in coordinating statewide licensing programs for  
8 Adult Family Homes, Assisted Living Facilities and Nursing Homes. Respondent interprets,  
9 reviews and makes recommendations for licensure or denial of licensure. Respondent plays an  
10 important role in the following: processing of Medicaid contract requests and terminations;  
11 coordination of Construction Review Services projects; and processing license updates which  
12 includes bed capacity increases, bed capacity decreases, changes in specialty designation,  
13 renewals and other license-related changes.

14  
15 **Summary of Appellant's Arguments.**

16 Appellant contends that the duties of Respondent's position best fit the agency specific job class of  
17 Social and Health Program Consultant 2. Appellant asserts that allocation to a general job class  
18 should occur only when there are no other viable options for allocation to an agency specific job  
19 class. Appellant further asserts that the SHPC 2 is a viable option for allocation because the duties of  
20 the SHPC 2 include all licensing specific to DSHS, not just day care centers as stated in the  
21 Definition.

22  
23 **Summary of Respondent's Arguments.**

24 Respondent argues that the duties of her position best fit the Program Specialist 3 job class.  
25 Respondent asserts that the SHPC 2 Definition oversimplifies her job because her work entails more  
26 than licensing day care facilities. Respondent contends that the Program Specialist series is meant to  
27 be used for specific program functions that don't fit other classes. Respondent asserts that licensing  
28 is a specific program component and does not fit the Definition and Distinguishing Characteristics of  
29 the SHPC 2 job class because she licenses more than day care facilities. Respondent concludes that

1 since her duties are not incorporated in the Definition and Distinguishing Characteristics for SHPC,  
2 her position should be allocated to the Program Specialist.

3  
4 **Primary Issue.** Whether the director's determination should be affirmed and Respondent's position  
5 should remain in the Program Specialist 3 job class.

6  
7 **Relevant Classifications.** Program Specialist 3; SHPC 2

8  
9 **Decision of the Board.** The purpose of a position review is to determine which classification best  
10 describes the overall duties and responsibilities of a position. A position review is neither a  
11 measurement of the volume of work performed, nor an evaluation of the expertise with which that  
12 work is performed. A position review is a comparison of the duties and responsibilities of a  
13 particular position to the available classification specifications. This review results in a  
14 determination of the class that best describes the overall duties and responsibilities of the position.  
15 See *Liddle-Stamper v. Washington State University*, PAB Case No. 3722-A2 (1994).

16  
17 Most positions within the civil service system occasionally perform duties that appear in more than  
18 one classification. However, when determining the appropriate classification for a specific position,  
19 the duties and responsibilities of that position must be considered in their entirety and the position  
20 must be allocated to the classification that provides the best fit overall for the majority of the  
21 position's duties and responsibilities. See *Dudley v. Dept. of Labor and Industries*, PRB Case No.  
22 R-ALLP-07-007 (2007).

23  
24 When comparing the assignment of work and the level of responsibility to the available class  
25 specifications, the class series concept (if one exists) followed by definition and distinguishing  
26 characteristics are primary considerations. While examples of the typical work identified in class  
27 specifications do not form the basis for an allocation, they lend support to the work envisioned  
28 within the classification.

1 The Definition of SHPC states:

2 Independently develop, administer, and/or monitor social, financial, or health services  
3 programs or the program policies and procedures for use by staff or service vendors; or  
4 develop plans for monitoring service delivery; or develop, implement, monitor and provide  
5 statewide program consultation and/or technical assistance to staff, community or providers  
6 to enhance the delivery of services; or serves as a licensor of day care centers.

7  
8 The SHPC Definition refers to licensure of day care centers and does not include licensure of other  
9 types of facilities. Additionally, the Definition and Distinguishing Characteristics of the SHPC 2  
10 does not include other duties assigned to the Respondent.

11  
12 We agree with the director's designee that because the Definition of the SHPC 2 specifies licensing  
13 day care centers only, this job class is not the best fit. The overall scope of Appellant's position best  
14 fits the Definition of Program Specialist 3.

15  
16 Since classification revisions are outside the Board's jurisdiction, we strongly encourage DSHS to  
17 work with the Classification and Compensation staff at OFM State HR to update the SHPC class  
18 series to better reflect the work performed by the SHPC class series.

19  
20 In a hearing on exceptions, Appellant has the burden of proof (WAC 357-52-110). DSHS has  
21 failed to meet its burden of proof.

**ORDER**

NOW, THEREFORE, IT IS ORDERED that the appeal on exceptions by DSHS is denied and the director's determination dated June 10, 2015, is affirmed.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2015.

WASHINGTON PERSONNEL RESOURCES BOARD

\_\_\_\_\_  
NANCY HOLLAND YOUNG, Chair

\_\_\_\_\_  
SUSAN MILLER, Vice Chair

\_\_\_\_\_  
VICKY BOWDISH, Member