

BEFORE THE PERSONNEL RESOURCES BOARD
STATE OF WASHINGTON

Department of Social and Health Services)	
Appellant,)	CASE NO. R-ALLO-15-049
vs.)	
Mona Terrell)	ORDER OF THE BOARD
Respondent.)	FOLLOWING HEARING ON
)	EXCEPTIONS TO THE
)	DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This appeal came before the Personnel Resources Board, NANCY HOLLAND YOUNG, Chair, SUSAN MILLER, Vice Chair, and VICKY BOWDISH, Member. The hearing was held on March 17, 2016, at Capitol Court, Olympia, WA.

Appearances. Appellant Department of Social and Health Services (DSHS) was represented by CJ Iwata, Classification and Compensation Specialist. Respondent Mona Terrell was present by telephone. Also present by telephone was Respondent's current supervisor, Rhonda Kenney, Chief Operating Officer, Eastern State Hospital (ESH).

Background. Respondent was a Dietician 1 at ESH. Respondent's supervisor, Daniel Rogers, Dietician 2, submitted a position review request for Ms. Terrell to DSHS Human Resources (HR) on October 7, 2014, requesting she be reallocated to Dietician 2.

By letter dated November 10, 2014, Appellant DSHS notified Respondent that her position was not reallocated to a Dietician 2 and remained as a Dietician 1. On December 9, 2014, Respondent submitted a request to OFM State HR for a director's review of DSHS's determination.

By letter dated November 4, 2015, the director's designee determined Respondent's position should be reallocated to Dietician 2.

1 On May 29, 2015, Mr. Rogers resigned and on June 1, 2015, Respondent promoted to the Dietician
2 position previously held by Mr. Rogers.

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4 On November 24, 2015, Appellant filed timely exceptions to the director's determination. In their
5 exceptions, Appellant indicated the scope of Respondent's work best fits the duties of the
6 Dietician 1 job class. Appellant's exceptions are the subject of this proceeding.

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8 As summarized in the director's review, Appellant was responsible for prescribing and formulating
9 comprehensive individualized patient care assessments and plans; and for providing clinical
10 oversight to food service employees, nursing staff and multidisciplinary team members relating to
11 medical nutrition therapy.

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

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15 Appellant takes exception to the director's determination and asserts the scope and responsibility of
16 Respondent's position best fits the definition and distinguishing characteristics of Dietician 1.
17 Respondent further asserts at least 80% of the duties stated in the director's determination fit the
18 class specification for Dietician 1. Appellant argues Respondent did not "supervise assigned
19 personnel," as stated in the distinguishing characteristics for the Dietician 2, and further argues
20 Respondent did not have responsibilities as per the definition of "supervisor" in the Glossary of
21 Classification Terms. Appellant contends the position description does not contain language about
22 Respondent's specialization in geriatrics.

23
24 Appellant suggests they work with State HR Classification and Compensation to better define the
25 class specifications for the Dietician series including the possibility of creating a third, supervisory
26 level.

1 **Summary of Respondent’s Arguments.**

2
3 Respondent states that, although not written in her position description, she was verbally assigned
4 charge over the geropsychiatric program. Her specialization included clinical oversight of geriatric
5 patients, including assessing their needs and prescribing a specialized diet. Respondent states she
6 used her knowledge of exercise physiology to design exercise classes for elderly patients.
7 Respondent contends she worked with nurses and staff as needed to communicate and train on
8 dietary and exercise needs.

9
10 **Primary Issue.** Whether the director’s determination should be affirmed in that Respondent’s
11 position should remain at the Dietician 2 job class.

12
13 **Relevant Classifications.** Dietician 1; Dietician 2.

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

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

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

6 The definition for the Dietician 1 classification states:

7 Performs professional level nutritional assessment, education and medical nutritional
8 therapy and/or directs others in professional administrative dietetic services.

9
10 The distinguishing characteristics for the Dietician 1 classification states:

11 Under general supervision, provides for nutritional assessment, management and
12 education of patients, and/or directs a food service system.

13
14 The definition for the Dietician 2 classification states:

15 **Provides nutritional care and/or directs food service system in a specialty area** such
16 as food marketing, burns and/or oncology (emphasis added).

17
18 The distinguishing characteristics for the Dietician 2 states:

19 Under general supervision, **serves as a specialist in nutritional assessment,**
20 **management and education of the patient and/or in directing a food service system.**
21 Supervises assigned personnel. **Shares specialty expertise with peers** (emphasis added).

22
23 The first allocating criteria considered in the class specifications, as stated above, is the class
24 series concept, followed by the definition and lastly, the distinguishing characteristics.
25 Consistently, supervisory responsibilities are found in the definition when they are essential to
26 allocation. Some examples of these **definitions** are:

- 27
28 • Safety and Health Specialist 4: "Supervises Safety and Health Specialists. May also
29 supervise other professional staff..."

- 1 • Maintenance Mechanic 4: “This is the supervisor or expert level of the series...”
- 2 • Natural Resource Scientist 4: “...supervises a unit of four or more natural resource
- 3 scientist positions...”
- 4 • Procurement and Supply specialist 4: “Supervises procurement and supply specialists...”
- 5 • HR Consultant 4: “...or supervises professional or other human resource staff members.”
- 6 • Fiscal Specialist 4: “Positions at this level function as a first line supervisor...”
- 7 • Excise Tax Examiner 4: “...Supervises, directs, and controls the activities of excise tax
- 8 examiners and support staff...

9

10 The Board finds the class specification for Dietician 2 is unique because it does not include

11 “supervision” as a qualifier for allocation within the definition. Instead, the distinguishing

12 characteristics state, “supervise assigned personnel.” Distinguishing characteristics are regarded

13 after the definition for allocation purposes and their purpose is to differentiate one level or job

14 class from another. As such, “supervise assigned personnel” could be interpreted to mean that if

15 subordinates are assigned, they would be assigned to the Dietician 2 level, not the Dietician 1

16 level. “Supervise assigned personnel” could also be interpreted to mean if subordinates are not

17 assigned, the position would not supervise. Unlike the definition of Dietician 2, the above

18 examples definitively require supervisory responsibility for allocation.

19

20 The fact that Respondent was not assigned personnel to supervise does not disallow the position

21 from being allocated to Dietician 2 as long as the position’s duties and responsibilities fit the

22 definition. Respondent directed a food service system in a specialty area – geropsychiatrics - and

23 was verbally assigned to oversee the program and share her knowledge as needed with nurses and

24 staff. Respondent’s duties best fit the definition of the Dietician 2.

25

26 The Board has considered all Appellant’s exceptions to the director’s determination and finds the

27 duties of this position best fit the definition and distinguishing characteristics of the Dietician 2.

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29

1 Since classification revisions are outside the Board's jurisdiction, the Board agrees with Appellant
2 to work with the Classification and Compensation staff at OFM State HR during the biennial
3 classification proposal process to better define the requirements of the Dietician series.

4
5 In a hearing on exceptions, the Appellant has the burden of proof (WAC 357-52-110). Appellant
6 has not met their burden of proof.

7
8
9 **ORDER**

10 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Department of
11 Social and Health Services is denied, the director's determination dated November 4, 2015, is
12 upheld, and Appellant's position remains allocated to the Dietician 2.

13 DATED this ____ day of _____, 2016.

14
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16
17 WASHINGTON PERSONNEL RESOURCES BOARD

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19 _____
20 NANCY HOLLAND YOUNG, Chair

21
22 _____
23 SUSAN MILLER, Vice Chair

24
25 _____
26 VICKY BOWDISH, Member