

1 **BEFORE THE PERSONNEL RESOURCES BOARD**  
2 **STATE OF WASHINGTON**

3 PAULINE ELWIN-SMITH )

4 Appellant, )

5 vs. )

6 DEPARTMENT OF SOCIAL AND )  
7 HEALTH SERVICES )

8 Respondent )

---

CASE NO. R-ALLO-16-005

ORDER OF THE BOARD  
FOLLOWING HEARING ON  
EXCEPTIONS TO THE  
DETERMINATION OF THE DIRECTOR

9  
10 **Hearing on Exceptions.**

11 This appeal came before the Personnel Resources Board, NANCY HOLLAND YOUNG, Chair,  
12 SUSAN MILLER, Vice Chair, and VICKY BOWDISH, Member. The hearing was held on June 1,  
13 2016, at Capitol Court, Olympia, WA.

14  
15 **Appearances.**

16 Appellant Pauline Elwin-Smith was present. Respondent Department of Social and Health Services  
17 (DSHS) was present and represented by Lester Dickson, Classification and Compensation Specialist,  
18 DSHS.

19  
20 **Background.**

21 On April 24, 2015, Appellant submitted a Position Review Request (PRR) to DSHS's HR  
22 Classification and Compensation Unit requesting reallocation from a Social and Health Program  
23 Consultant 2 (SHPC 2) to a Social and Health Program Consultant 3 (SHPC 3). By letter dated July  
24 2, 2015, DSHS HR notified Appellant her position would remain as a SHPC 2.

25  
26 On July 31, 2015, OFM State HR received a request for a director's review. By letter dated  
27 February 1, 2016, the director's designee notified Appellant her position was properly allocated to  
28 SHPC 2.

1  
2 On February 19, 2016, Appellant filed timely exceptions to the director’s determination. In her  
3 exceptions, Appellant indicated the duties and responsibilities of her position best fit the SHPC 3  
4 job class.

5  
6 As summarized in the director’s review, Appellant serves as a Regional Contract Manager (RCM)  
7 within the Finance and Performance Evaluation Division of the Children’s Administration (CA).  
8 Appellant develops, negotiates, executes and manages a diverse array of client services; personal  
9 service contracts; and tribal and inter-local agreements to meet the needs of CA clients within her  
10 assigned geographical areas.

11  
12 **Summary of Appellant’s Arguments.**

13  
14 Appellant argues she performs at the same level as the SHPC 3s in coordinating and facilitating the  
15 work of other staff during onsite provider visits. Appellant contends she did not have a position  
16 description (PD) until the new one was signed by management on February 11, 2015, and approved  
17 by DSHS HR on April 16, 2015. Appellant further contends she performs as a lead worker just like  
18 her counter parts, Melanie Waller; Karen Rall; and Sandra Daniels; and continues to perform as a  
19 lead worker, even though the new PD omitted this language.

20  
21 Appellant asserts the meaning of “lead work” in the SHPC 3 class is broader than the definition of  
22 “lead” in the *Glossary of Classification Terms*. Appellant further asserts that being a leader does not  
23 have a one-size-fits-all definition. The definition for SHPC 3 states, in relevant part: “...these  
24 positions serve as a designated lead worker, directing and monitoring the activities of a team  
25 comprised of professional staff, families and the community...” Appellant argues she does not need  
26 to fall under the definition of “lead” to be a designated lead worker. Rather, as stated in the class  
27 specification for SHPC 3, they may direct or monitor activities of ...” social service staff, other  
28 professional staff, families, and the community...”

1 Appellant takes exception to the determination that the SHPC 3 contract managers perform many of  
2 the same tasks they do, but with the additional responsibility of being a lead worker. Appellant  
3 contends the SHPC 3 presently assigned as her supervisor does not assign, instruct and check the  
4 work of the SHPC 2 positions and therefore is not performing lead functions.

5  
6 **Summary of Respondent's Arguments.**

7 Respondent asserts the SHPC 3 classification requires specific designation as a lead worker and that  
8 Appellant's PD does not indicate the positions work in a lead capacity. Respondent cites the  
9 definition of "lead" from the *Glossary of Classification Terms* as: "An employee who performs the  
10 same or similar duties as other employees in his/her work group and has the designated  
11 responsibility to regularly assign, instruct, and check the work of those employees on an ongoing  
12 basis."

13  
14 Respondent contends that since Appellant's position has not been designated as a lead worker, her  
15 position should not be allocated to the SHPC 3 classification.

16  
17 **Primary Issue.** Whether the director's determination should be affirmed in that Appellant's position  
18 should remain at the SHPC 2 job class.

19  
20 **Relevant Classifications.** SHPC 2; SHPC 3

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

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

7  
8 The Board cannot address Appellant's arguments regarding the duties of her current supervisor, a  
9 SHPC 3. While Appellant contends her supervisor does not perform as a lead worker, the Board  
10 is limited to the scope of Appellant's position.

11  
12 The Board carefully reviewed the documentation submitted during the director's review and  
13 considered the arguments presented by the parties at the hearing before the Board. Allocating  
14 criteria consists of the class specification's class series concept (if one exists), the definition and  
15 the distinguishing characteristics. Typical work is not an allocating criterion, but may be used to  
16 better understand the definition or distinguishing characteristics.

17  
18 There is no class series concept for the SHPC class series.

19  
20 The definition for the SHPC 2 states:

21  
22 Independently develop, administer, and/or monitor social, financial, or health  
23 services programs or the program policies and procedures for use by staff or  
24 service vendors; or develop plans for monitoring service delivery; or develop,  
25 implement, monitor and provide statewide program consultation and/or technical  
26 assistance to staff, community or providers to enhance the delivery of services; or  
27 serves as a licensor of day care centers.

1 The distinguishing characteristics of the SHPC 2 states:

2  
3 Some positions in this class may perform one of the following functions a majority of  
4 the time, provided that the duties identified in the Definition are also included in the  
5 work assignment:

- 6 • develop, implement and monitor grants and/or service contracts;
- 7 • liaison and public relations;
- 8 • draft or analyze proposed legislation and determine fiscal impact;
- 9 • conduct program audits and on-site inspections;
- 10 • review findings of hearings;
- 11 • research, analyze and interpret State and Federal regulations and/or legislation; or
- 12 • develop, implement, direct and monitor a designated project or projects;
- 13 • licensure of day care centers.

14  
15 The definition for the SHPC 3 states:

16  
17 Within the social service system, these positions serve as a designated lead  
18 worker, directing and monitoring the activities of a team comprised of  
19 professional level social service staff, other professional staff, families, and the  
20 community in providing guidance to families that are at risk of dependency and/or  
21 serving clients with severe and intense social service needs. These positions also  
22 develop, administer, and/or monitor social, financial, or health services programs  
23 or the program policies and procedures used by staff or vendors.

24 There are no distinguishing characteristics for the SHPC 3.

25  
26 The relevant difference between the SHPC 2 and SHPC 3 is the SHPC 3's lead responsibilities.

27 The review period is October 24, 2014, through April 24, 2015, and the new PD, which does not  
28  
29

1 indicate lead-level responsibility, was approved by DSHS Human Resources on April 16, 2015.  
2 There was no PD in effect prior to February 11, 2015, and as such, the Board has Appellant's  
3 testimony indicating she performed the same work as her counterparts. The Board heard testimony  
4 that Appellant does not currently perform lead-level work and the new PD omitted this language.  
5 However, the Board did not hear evidence that the work performed during the majority of the  
6 review period, as evidenced in her counterparts' prior PDs, was anything other than lead-level.

7  
8 The majority of Appellant's duties from October 24, 2014 through April 24, 2015, entailed  
9 developing, managing and monitoring contracts, which fits the definition of SHPC 2. In addition  
10 to those duties, Appellant was given lead-level authority causing the duties of her position to rise  
11 to the level of SHPC 3. Respondent referred to the language in the new PD and did not provide  
12 evidence indicating Appellant's actual duties prior to April 16, 2015, was anything other than  
13 lead-level. All language regarding lead work was omitted from the new PD.

14  
15 For allocation purposes, the Glossary of Classification Terms is the guiding document for defining  
16 "lead," which states:

17  
18 An employee who performs the same or similar duties as other employees in  
19 his/her work group and has the designated responsibility to regularly assign,  
20 instruct, and check the work of those employees on an ongoing basis.

21  
22 Since there was no evidence or testimony indicating Appellant performed work other than lead-  
23 level during the majority of the review period, the Board finds that from October 24, 2014,  
24 through April 24, 2015, SHPC 3 is the best fit for the duties of her position. For work after April  
25 24, 2015, the PD and testimony from Appellant and Respondent indicates Appellant does not  
26 perform as a lead worker, as per the Glossary of Classification Terms, therefore fitting the  
27 definition of SHPC 2.

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

3  
4 **ORDER**

5 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Pauline Elwin-  
6 Smith is granted in part, and Appellant's position is reallocated to SHPC 3 for the review period of  
7 October 24, 2014 through April 24, 2015. Appellant returns to the SHPC 2 job class effective  
8 April 25, 2015.

9 DATED this \_\_\_\_ day of \_\_\_\_\_, 2016.  
10  
11

12  
13 **WASHINGTON PERSONNEL RESOURCES BOARD**

14  
15 \_\_\_\_\_  
16 NANCY HOLLAND YOUNG, Chair

17  
18 \_\_\_\_\_  
19 SUSAN MILLER, Vice Chair

20  
21 \_\_\_\_\_  
22 VICKY BOWDISH, Member  
23  
24  
25  
26  
27  
28  
29