

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

DEPARTMENT OF TRANSPORTATION) Appellant,) vs.) HARPREET SANDHU) Respondent))	CASE NO. R-ALLO-15-051 ORDER OF THE BOARD FOLLOWING HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR
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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 April 21, 2016, at Capitol Court, Olympia, WA.

Appearances.

Appellant Washington State Department of Transportation (WSDOT) was present and represented by Jennifer Martin, Human Resource Consultant. Respondent Harpreet Sandhu was present and represented by Teresa Parsons, Human Resource Specialist, Washington Federation of State Employees (WFSE).

Background.

On January 23, 2014, Respondent submitted a Position Review Request (PRR) to WSDOT's HR office requesting reallocation from a Maintenance Mechanic 4 to a Maintenance Specialist 5. By letter dated June 26, 2014, Appellant WSDOT notified Respondent his position would remain as a MM 4.

On July 16, 2014, Respondent filed a request for review with Office of Financial Management State HR. By letter dated November 6, 2015, the director's designee notified Respondent his position was to be reallocated to a MS 5.

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2 On December 3, 2015, Appellant filed timely exceptions to the director’s determination. In their
3 exceptions, Appellant indicated the duties and responsibilities of Respondent’s work best fit the
4 MM 4 job class.

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6 As summarized in the director’s review, Respondent serves as a journey-level plumber working in
7 the Northwest Region of WSDOT’s Facilities Maintenance Management Section. Respondent
8 reports to Annie Morris, MS 5.

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10 **Summary of Appellant’s Arguments.**

11 Appellant asserts Respondent handles the most difficult issues within his area of knowledge
12 (plumbing), consistent with the definition of MM 4, which states, “...is the expert level of the
13 series...” Appellant contends the intent of the MS 5 job class is to coordinate construction projects,
14 accentuated in the job class’ previous title, “Maintenance and Construction Coordinator.” Appellant
15 states that, per a previous Board ruling, one may refer to typical work for guidance absent
16 distinguishing characteristics (See *Kristen Mansfield vs. DFW*, PRB Case No. R-ALLO-11-014). As
17 such, Appellant maintains the typical work statements in the class specifications for MM 4 are more
18 consistent with Respondent’s work than the typical work statements for the MS 5. Appellant
19 pointed out that Respondent is supervised by another MS 5, Ms. Morris, and that Ms. Morris’ duties
20 are consistent with the MS 5 job class because she oversees multiple trades in the coordination of
21 construction projects.

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

24 Respondent argues the director’s designee was accurate in stating his duties and responsibilities rise
25 to the level of the MS 5. Respondent contends that, while reporting to another MS 5 isn’t the most
26 ideal situation, it is practiced in Washington state government when appropriate. Respondent
27 contends that towards the end of a project on SeaTac rest areas, a critical component on plumbing
28 was overlooked requiring Respondent to step in and direct the project. Respondent asserts the
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1 project did not have blueprints adding to his level of responsibility. Respondent further asserts he
2 managed high level tasks including safety enforcement; protecting impact on the public; and
3 facilitating equipment rentals. Respondent contends his licensure authorizes him to shut down water
4 systems when required.

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6 **Primary Issue.** Whether the director's determination should be affirmed in that Respondent's
7 position should remain at the Maintenance Specialist 5 job class.

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9 **Relevant Classifications.** Maintenance Mechanic 4; Maintenance Specialist 5.

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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).

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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 majority
23 of the position's duties and responsibilities. *Dudley v. Dept. of Labor and Industries*, PRB Case
24 No. R-ALLO-07-007 (2007).

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

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4 The class series concept for the MM series, found in the MM 1 class specification states:

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6 Positions in this series perform general maintenance, repair, remodeling and
7 construction duties utilizing working knowledge of several related skill fields such
8 as electrical, plumbing, carpentry, welding, painting and machinist work.
9 Incumbents inspect, repair, install and maintain physical facilities, locks and
10 maintain and repair machinery and equipment. Positions may be required to lead
11 or supervise and instruct offenders, inmates or residents in general maintenance
12 activities.

13 The Maintenance Specialist series does not have a class series concept.

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15 The definition for the MM 4 states:

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17 This is the supervisory or expert level of the series. Positions at this level are
18 responsible for shop administration and supervising maintenance personnel,
19 equipment mechanics or others performing skilled maintenance, repair and
20 modification of plant machinery and mechanical equipment involved with
21 buildings, special apparatus, utilities and facilities. This level also includes
22 positions which erect construction or communication towers around 300 feet
23 high.

24 The definition of MS 5 states:

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26 This is the supervisory or expert level of the series. Assists in the coordination and
27 direction of total physical plant construction and maintenance activities of a large
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1 institution. Develop, implement, and monitor training. Implements and evaluates
2 workflow priorities. Develops and disseminates instructions and information to
3 unit personnel. Organizes, conducts and facilitates staff meetings.

4 Respondent is a licensed journey-level plumber and expert in his trade. He works alongside other
5 MM4s and MM3s, also experts in their trades. Respondent problem-solved and, utilizing his
6 expertise, modified a plumbing project in SeaTac. During this project he coordinated the work;
7 managed inventory/supplies and equipment; enforced safety rules and regulations; and directed
8 the work of other Maintenance Mechanics. This work is consistent with the definition of MM 4,
9 which states in part: "...Positions at this level are responsible for shop
10 administration...performing skilled maintenance, repair and modification of...utilities and
11 facilities..."

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13 The definition of MS 5 speaks to coordinating and directing the **total physical plant**
14 **construction and maintenance of a large institution**. The typical work in the class specification
15 for MS 5 is consistent with the definition, which includes the following examples:

- 16 • Assisting with departmental budget.
- 17 • Training and evaluating employees.
- 18 • Overseeing craft supervisors.
- 19 • Coordinating equipment, material and crews.
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22 The use of the phrase "total physical plant construction" denotes this job class could reasonably
23 supervise, lead, or provide expertise on multiple trades. Overseeing staff in multiple trades may
24 encompass training and evaluating employees in those trades and therefore, rise to a level of
25 complexity beyond the scope of Respondent's work as a licensed journey-level plumber. The MS
26 5 job class is not the best fit for a tradesperson serving as an expert in a single trade, rather is
27 designed for positions such as Respondent's supervisor, Ms. Morris, who serves as an MS 5
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1 coordinating multiple projects and/or large projects within the Northwest region and supervising a
2 staff of Maintenance Mechanics in various trades.

3 Respondent serves as an expert plumber, but does not assist in the “coordination and direction of
4 total physical plant construction and maintenance activities of a large institution,” as the MS 5
5 class specification states. As stated earlier, allocating criteria consist of the class specification’s
6 class series concept (if one exists), the definition and the distinguishing characteristics. As such,
7 Respondent’s licenses, including the journey-level plumber’s license, cannot be considered in the
8 allocation decision. The Board finds the preponderance of Respondent’s work best fits the
9 definition of Maintenance Mechanic 4.

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11 In a hearing on exceptions, the Appellant has the burden of proof (WAC 357-52-110). Appellant
12 has met their burden of proof.
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ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Washington State Department of Transportation is granted, the director's determination dated November 6, 2015, reversed, and Respondent's position is reallocated to Maintenance Mechanic 4.

DATED this ____ day of _____, 2016.

WASHINGTON PERSONNEL RESOURCES BOARD

NANCY HOLLAND YOUNG, Chair

SUSAN MILLER, Vice Chair

VICKY BOWDISH, Member