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2 On May 8, 2017, Board staff received Appellant's Appeal Request. However, Appellant did not
3 state specific exceptions to the Director's Determination, so by letter dated May 9, 2017,
4 Appellant was directed to submit specific exceptions within twenty-on (21) days of the date of
5 the letter. WAC 357-52-020(3). On May 22, 2017, Board staff received Appellant's specific
6 exceptions.

7 8 **Summary of Appellant's Duties and Responsibilities.**

9 Appellant serves as an Electrician Supervisor (ES) in Plant Maintenance at the Washington State
10 Penitentiary in Walla Walla. He reports to Steve Birdwell, Plant Manager 3. According to the
11 Position Review Request (PRR) signed by Mr. Birdwell on March 4, 2016, Appellant installs new
12 electrical systems and is responsible for designing, planning and building all electrical systems in a
13 safe and efficient manner. Appellant supervises and trains up to three inmate trainees in electrical
14 work.

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16 The review period for this allocation request was twelve (12) months prior to March 17, 2016.

17 18 **Summary of Appellant's Arguments.**

19 Appellant asserts he should be reallocated to the MS 4 job class, or the CMPS job class. According
20 to Appellant's appeal request and information gathered at the hearing, Appellant contends
21 Electrician Supervisors are working out of their job class because their specialty has stringent
22 requirements unlike other trades. He further contends that supervising and training electrical
23 trainee inmates is more responsibility than supervising staff, as he is required to not only supervise,
24 but train, document work hours and have hours notarized for trainees performing electrical work.

25 Appellant argues he is responsible for errors and held accountable to the Department of
26 Labor and Industries (L&I) as a licensed EL01 journeyman electrician. Appellant asserts
27 the time spent obtaining this level of licensure is comparable to a four-year degree and, in
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1 light of the requirements of his position, Appellant further asserts should be paid a higher
2 salary.

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4 **Summary of Respondent's Arguments.**

5 Respondent DOC maintains Appellant does not fit the class specification for MS 4 or CMPS. They
6 further maintain the definition for MS 4 indicates incumbents in this job class supervise a variety of
7 journey-level trade workers. Respondent contends Appellant does not supervise a variety of
8 journey-level trades, rather he supervises and trains non-journey level inmates who are earning
9 hours towards their electrician's license.

10 Respondent contends Appellant cannot request from the PRB an increase in pay for the Electrician
11 Supervisor job class, as this is out of the Board's jurisdiction.

12
13 **Primary Issue.** Whether the director's determination should be affirmed and whether Respondent
14 should remain allocated to the Electrician Supervisor Classification.

15
16 **Relevant Classifications.** Electrician Supervisor; Maintenance Specialist 4; Construction
17 Maintenance Supervisor.

18
19 The purpose of a position review is to determine which classification best describes the overall
20 duties and responsibilities of a position. A position review is neither a measurement of the volume
21 of work performed, nor an evaluation of the expertise with which that work is performed. A
22 position review is a comparison of the duties and responsibilities of a particular position to the
23 available classification specifications. This review results in a determination of the class that best
24 describes the overall duties and responsibilities of the position. See *Liddle-Stamper v. Washington*
25 *State University*, PAB Case No. 3722-A2 (1994).
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1 In *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020 (2008), the
2 Personnel Resources Board (Board) stated the following standards are the hierarchy of primary
3 considerations in allocating positions:

- 4 a) Category concept (if one exists).
- 5 b) Definition or basic function of the class.
- 6 c) Distinguishing characteristics of a class.
- 7 d) Class series concept, definition/basic function, and distinguishing
8 characteristics of other classes in the series in question.

9 10 **Construction and Maintenance Project Supervisor Definition**

11 This is the supervisory level of the series. Positions at this level supervise journey-level workers
12 performing skilled work in at least two skilled trades. These workers fabricate a variety of
13 components using materials such as, wood, metal or concrete and/or construct, remodel, repair,
14 and maintain buildings, facilities, utilities, machinery, and equipment. Incumbents supervise
15 construction, repair and production activities and work crews within a region or at work sites in
16 remote locations.

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18 **A class series concept and distinguishing characteristics are not included in the class**
19 **specification.**

20 21 **Maintenance Specialist 4 Definition**

22 This is the supervisory level of the series. Supervises a variety of journey-level tradesworkers or
23 general maintenance mechanics performing work on physical plant, campus buildings, grounds,
24 or equipment; or manages the Department of Transportation Central Sign Shop and supervises
25 the fabrication and distribution of all types of transportation signing throughout the state. Some
26 positions supervise field operations on construction and maintenance projects either state-wide or
27 for a specified program. Develop, implement, and monitor training. Implements and evaluates
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1 workflow priorities. Develops and disseminates instructions and information to unit personnel.
2 Organizes, conducts and facilitates staff meetings.

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4 **A class series concept and distinguishing characteristics are not included the class**
5 **specification.**

6 7 **Electrician Supervisor Definition**

8 This is the supervisory level. Positions supervise electricians, and other assigned personnel such
9 as laborers, crews of inmates, or helpers engaged in installation, modification, maintenance and
10 repair of electrical equipment and systems. Positions function as a recognized expert who is
11 sought out by others to complete major projects or resolve highly complex problems. Plans, lays
12 out and directs shop activities. Positions may supervise electricians engaged in skilled high
13 voltage electrical work.

14
15 **A class series concept and distinguishing characteristics are not included the class**
16 **specification.**

17 18 **Decision of the Board**

19 Appellant performs and oversees electrical work only; and supervises and trains non-journey
20 level inmates. Unlike the definition of CMPS, Appellant does not supervise journey-level
21 workers performing skilled work in at least two skilled trades. Rather, he supervises and trains
22 one or two inmates who are earning work hours to become journey-level electricians through
23 L&I. Appellant also does not supervise construction, repair and production activities as the
24 definition of CMPS describes, rather supervises electrical work. The Board finds Appellant's
25 assigned duties do not meet the definition of Construction and Maintenance Project Supervisor.

26
27 Appellant does not supervise a variety of journey-level trades or general maintenance mechanics
28 performing work on various facilities and grounds, as the definition of MS 4 indicates. Rather,

Appellant trains inmates in electrical work only. Therefore, Appellant's assigned duties do not meet the definition of Maintenance Specialist 4.

The Electrician Supervisor definition matches the responsibilities of Appellant. The definition specifies incumbents supervise inmates engaged in the installation, modification, maintenance and repair of electrical equipment and systems. This job class does not point to the supervision of journey-level workers and a variety of journey-level workers in multiple trades, as the definition illustrates. Rather, Appellant performs and oversees electrical work only and supervises and trains non-journey level inmates.

Concerning the requirement for an EL01 Electrician's License, the class specification for Electrician Supervisor states under "Legal Requirements," "There may be instances where individual positions must have additional licenses or certification..." Therefore, Appellant's requirement to maintain a license does not affect the allocation of his position.

One of the exceptions Appellant stated was that his salary was not in line with the level of skill, accountability and licensing required of Electrician Supervisor. Classification revisions, including salary changes, are outside the Board's jurisdiction. However, Classification and Compensation staff at OFM State HR review requested class specification changes during the biennial classification proposal process if they meet the criteria laid out in RCW:

RCW 41.06.152

Job classification revisions, class studies, salary adjustments—Limitations.

(1) The director shall adopt only those job classification revisions, class studies, and salary adjustments under RCW [41.06.157](#) that:

(a) As defined by the director, are due to documented recruitment or retention difficulties, salary compression or inversion, classification plan maintenance, higher level duties and responsibilities, or inequities; and

1 (b) Are such that the office of financial management has reviewed the
2 affected agency's fiscal impact statement and has concurred that the
3 affected agency can absorb the biennialized cost of the
4 reclassification, class study, or salary adjustment within the agency's
5 current authorized level of funding for the current fiscal biennium and
6 subsequent fiscal biennia.

7 ...

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9 The Board has considered all Appellant's exceptions to the director's determination and finds the
10 duties of this position best fit the definition of the Electrician Supervisor.

11
12 In a hearing on exceptions, the appellant has the burden of proof. WAC 357-52-110.
13 Appellant has not met his burden of proof.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Nick Herndon is denied and the director's determination dated April 10, 2017, is upheld. Appellant remains allocated to Electrician Supervisor.

DATED this ____ day of _____, 2017.

WASHINGTON PERSONNEL RESOURCES BOARD

NANCY HOLLAND YOUNG, CHAIR

VICKY BOWDISH, VICE-CHAIR

SUSAN MILLER, MEMBER