BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

DAWN HAWES, Appellant, vs. EASTERN WASHINGTON UNIVERSITY, Respondent.	CASE NO. R-ALLO-14-011 ORDER OF THE BOARD 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, and SUSAN MILLER, Member, for a hearing on Appellant's exceptions to the director's determination dated September 2, 2014. The hearing was held on March 11, 2015.

Appearances. Appellant Dawn Hawes was present and was represented by Desiree Desselle, Labor Advocate for the Washington Federation of State Employees. Eastern Washington University (EWU) was represented by Kim Davis, Human Resource Associate.

Background. Appellant's position was allocated to the Program Coordinator classification. She submitted a Position Review Request dated August 28, 2013 requesting reallocation to the Program Specialist 2 classification. By memorandum date October 25, 2013, EWU denied Appellant's request.

On November 13, 2013, Appellant filed a request for a director's review of EWU's allocation determination. By letter dated September 2, 2014, the director's designee determined that Appellant's position was properly allocated to the Program Coordinator classification.

On September 30, 2014, Appellant filed exceptions to the director's determination. Appellant's exceptions are the subject of this proceeding.

Appellant's position is located in the Student Financial Services Office at EWU where she is responsible for the Perkins Loan Program. The Perkins Loan Program is governed by specific rules and regulations established by the Department of Education. Within the context of the guidance provided by the Department of Education, Appellant processes loan applications and provides direct support and assistance to students participating in the Perkins Loan Program. She ensures that participants and EWU conform to the Perkins Loan Program rules, regulations and guidelines established by the Department of Education. She performs a variety of direct fiscal support such as processing payments, record keeping and other related activities including determining the status and eligibility of students to participate in the program and advising them on their loan payback options including waivers. In addition, she and the other employees in the office provide front desk coverage which includes direct customer service assistance for Student Financial Services.

Summary of Appellant's Arguments. Appellant argues that she is the Federal Perkins Loan Program specialist and as such, she independently manages all aspects of the program while serving a subset of students with unique needs and assisting them to assure they receive every benefit for which they are eligible. Appellant asserts that the Perkins Loan Program is a discrete, specialized program that is separate and distinct from Student Financial Services. Appellant contends that she exercises independent judgment and decision-making in interpreting and applying complex program specific policies, procedures and regulations, assessing program needs and developing courses of action to carry out program activities. In addition, Appellant explains that she is the liaison for the program and works with the Department of Education and auditors to assure the program is in compliance with rules and regulations. Appellant argues that her position fits the class series concept and definition of the Program Specialist 2 classification.

Summary of Respondent's Arguments. Respondent argues that the director's designee correctly determined that Appellant's position best fit within the Program Coordinator classification.

Respondent asserts that the Perkins Loan Program functions within the Student Financial Services Office and is not separate from the main body of the organization. Respondent further asserts that Appellant does not plan, organize, direct or coordinate the program as anticipated by the Program Specialist 2 classification. Rather, Respondent asserts that she exercises independent judgment in interpreting and applying Department of Education rules, policies and procedures to coordinate and perform the administrative processes and procedures necessary to carry out the activities of the program. Respondent argues that Appellant's position is properly allocated to the Program Coordinator classification.

Primary Issue. Whether the director's determination that Appellant's position is properly allocated to the Program Coordinator classification should be affirmed.

Relevant Classifications. Program Coordinator, class code 107N, Program Specialist 2, class code 107I.

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

Appellant argues, in part, that the duties and responsibilities of her position are similar to a Program Specialist 2 position in the Collections Program. Respondent explains that the scope and breadth of responsibilities assigned to the Program Specialist 2 position are not similar to Appellant's position.

This Board and its predecessor, the Personnel Appeals Board, has addressed this issue numerous times. In Byrnes v. Dept's of Personnel and Corrections, PRB No. R-ALLO-06-005 (2006), this Board that "[w]hile a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a position." Citing to Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996). Therefore, the allocation of the Program Specialist 2 position in the Collections Program is not a determining factor in the proper allocation of Appellant's position.

In Norton-Nader v. Western Washington University, PRB Case No. R-ALLO-08-020 (2008), the Personnel Resources Board (Board) stated that the following standards are the hierarchy of primary considerations in allocating positions:

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

The class series concept for the Program Specialist classes states:

> Positions in this series coordinate discrete, specialized programs consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Positions coordinate program services and resources; act as a program liaison and provide consultation to program participants and outside entities regarding functions of the program; interpret, review and apply program specific policies, procedures and regulations; assess program needs; and develop courses of action to carry out program activities. Program coordination also requires performance of tasks and application of knowledge unique to the program and not transferable or applicable to other areas of the organization.
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> Examples of program areas may include, but are not limited to: business enterprises, fund raising, volunteer services, community resources, election administration and certification, juvenile delinquency prevention, recreational

> education and safety, energy education, aeronautic operations and safety, student housing, financial aid, and registration.

The Board addressed the application of the Program Specialist 2 and Program Coordinator classifications in Roney v. Spokane Community College, Case No. R-ALLO-09-030 (2009). In Roney, the Board determined that the appellant performed discrete, specialized tasks that were unique to the Veterans Education Program. The Board further determined that the Veterans Education Program was not separate and distinguished from the main body of the organization but was a component of the Workforce and Education Department within Student Services Community Career and Employment Services. Therefore, the Board determined that the Veterans Education Program did not contain the depth or breadth of components and tasks encompassed by the Program Specialist class series concept.

In this case, Appellant performs discrete, specialized tasks that are unique to the Federal Perkins Loan Program. However, here, as in Roney, the Perkins Loan Program is not separate and distinguished from the main body of the organization. The Perkins Loan Program is a financial service provided to students and as such is a component of Student Financial Services. Appellant's position does not perform the depth or breadth of tasks encompassed by the Program Specialist class series concept. While Appellant performs tasks related to Perkins loans, she does not perform tasks associated with student loans as a whole or directly related to the other loan programs from the Department of Education such as Federal Direct Subsidized and Unsubsidized Loans, Direct Parent (PLUS) Loans or Direct Graduate (PLUS) Loans. Appellant's position is not encompassed by the Program Specialist class series concept; therefore, allocation to this series is not appropriate.

The class series concept for the Program Coordinator classification provides that positions that coordinate programs:

> Perform work requiring knowledge and experience that is specific to a program. Organize and perform work related to program operations independent of the daily

> administrative office needs of the supervisor. Represent the program to clients, participants and/or members of the public.
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> A program is a specialized area with specific complex components and discrete tasks which distinguish it from the main body of an organization. A program is specific to a particular subject. The specialized tasks involve interpretation of policies, procedures and regulations, budget coordination/administration, independent functioning and typically, public contact. Duties are not of a general support nature transferable from one program to another. Performance of clerical duties is in support of incumbent's performance of specialized tasks.

The intent of the Program Coordinator classification is further clarified by the definition of "coordinate" found in the Glossary of terms. The Glossary provides that coordinators "[i]ndependently organize, monitor, evaluate, and make adjustments for a program or activity without supervisory responsibility."

Appellant works independently to organize, monitor and evaluate the services she provides to students participating in the Perkins Loan Program. She assists students to obtain educational benefits and makes loan payment adjustments in accordance with the rules and regulations established by the Department of Education. In addition, she performs work that is unique and requires knowledge specific to the Perkins Loan Program. She works independent of the administrative needs of her supervisor and acts as the program liaison to students, the Department of Education and auditors. The Perkins Loan Program has specific components and discrete tasks that distinguish it from the main body of Student Financial Services. These tasks require Appellant to interpret rules and regulations developed by the Department of Education and to apply knowledge and coordinate activities for a segment of Student Financial Services. Appellant's position fits within the class series concept and the intent of the Program Coordinator classification.

The basic function of the Program Coordinator classification states: "[c]oordinate the operation of a specialized or technical program."

The distinguishing characteristics for the Program Coordinator classification state:

> Under general direction, perform work using knowledge and experience specific to the program. Exercise independent judgment in interpreting and applying rules and regulations. Independently advise students, staff, program participants and/or the public regarding program content, policies, procedures and activities; select/ recommend alternative courses of action and either:
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> (1) project, monitor, maintain, initiate and/or approve expenditures on program budgets
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> <u>OR</u>
>
> (2) have extensive involvement with students, staff, the public and/or agencies in carrying out program activities, and coordinate, schedule and monitor program activities to determine consistency with program goals.

The Glossary of Classification terms defines "general direction" as:

- Employee independently performs all assignments using knowledge of established policies and work objectives.
- Employee plans and organizes the work and assists in determining priorities and deadlines. May deviate from standard work methods, guidelines or procedures in order to meet work objectives.
- Employee exercises independent decision-making authority and discretion to decide which work methods to use, tasks to perform and procedures to follow to meet work objectives.
- Completed work is reviewed for effectiveness in producing expected results.

Appellant independently exercises decision-making authority and receives little supervision in the performance of her day to day tasks. She independently organizes, monitors, and evaluates the services she provides to Perkins Loan participants. She exercises independent judgment in interpreting and applying Department of Education rules, regulations, policies and procedures. She is the program representative and resource for students and others. In addition, she identifies options and provides information to students on alternative courses of action. Appellant's position fits within the definition and distinguishing characteristics of the Program Coordinator classification.

Appellant's duties and level of responsibilities best fit within the scope, intent and level of authority found in the Program Coordinator classification.

In a hearing on exceptions, the appellant has the burden of proof. WAC 357-52-110. Appellant has failed to meet her burden of proof.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Dawn Hawes is denied and the director's determination dated September 2, 2014, is affirmed

DATED this _____ day of _____, 2015.

WASHINGTON PERSONNEL RESOURCES BOARD

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NANCY HOLLAND YOUNG, Chair

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SUSAN MILLER, Member