BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

CATHERINE WOOD, Appellant, v. DEPARTMENT OF CORRECTIONS, Respondent.	Case No. ALLO-05-0003 ORDER OF THE BOARD FOLLOWING HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This appeal came on for hearing before the Personnel Appeals Board, WALTER T. HUBBARD, Chair, and GERALD L. MORGEN, Member, on Appellant's exceptions to the Director's determination dated January 28, 2005. The hearing was held at the office of the Department of Labor and Industries, 12806 Gateway Drive, Tukwila, Washington, on April 15, 2005.

Appearances. Appellant Catherine Wood was present and was represented by Rick Engelhart, Business Representative for Teamsters Local Union No. 117. Respondent Department of Corrections was represented by Todd Dowler, Labor Relations Consultant.

Background. On April 21, 2004, the Human Resources Office at the Monroe Corrections Complex received a classification questionnaire from Appellant requesting that her position as a Correctional

Records Specialist be reallocated to the Correctional Records Manager 1 level. At the time, Appellant worked in the Minimum Security Unit at the Monroe Correctional Complex.

On July 29, 2004, Robert Riordan, Human Resources Manager, sent Appellant two letters. In one letter, Mr. Riordan informed Appellant that her request for reallocation signed on April 19 was denied because the duties of her position did not "have overall responsibility of managing the Minimum Security Unit Records office." In the second letter, Mr. Riordan informed Appellant that the duties and responsibilities of her position had been recently reviewed, that her request for reallocation had been denied, but that as a result of the review it appeared that management had been allowing her to perform duties not typically associated with the Correctional Records Specialist classification. Mr. Riordan also wrote:

> Therefore, it has been determined that you will be compensated for performing those duties for the period of July 24, 2000 (the date you were reassigned to the Minimum Security Unit) through April 23, 2004 (on April 26, 2004, you were reassigned to the Washington State Reformatory Unit).
>
> By copy of this letter, the MCC Payroll office will effect the additional compensation due you for the period indicated in paragraph two (2) above.
>
> ...

The department compensated Appellant at the Correctional Records Manager 1 level.

On April 23, 2004, Appellant requested a review of Mr. Riordan's determination by the Department of Personnel. Paul Peterson, Hearings Officer, conducted a position review and on January 28, 2005, notified Appellant that her request for reallocation was denied and that she was appropriately allocated to the Corrections Records Specialist classification, because Appellant was not assigned

responsibility for directly supervising the CRS positions within her immediate office. On February 16, 2005, Appellant filed exceptions with the Personnel Appeals Board.

Summary of Appellant's Argument. Appellant argues she should be reallocated because she performed duties at the CRM 1 level for over four years while working at the Minimum Security Unit at Monroe. Appellant contends that her request for reallocation is supported by the department's determination that she had been working out of class for over four years and their payment of the difference in wages to her. Appellant argues the agency should have allowed her to remain at the MSU performing the same duties she performed for over four years rather than reassigning her to the Twin Rivers Corrections Center at the Corrections Records Specialist level. Appellant claims that because she filed for reallocation prior to the effective date of the reorganization, the department should have allowed her to remain in her position at the CRM1 level at the MSU.

Summary of Respondent's Argument. Respondent argues that after the agency implemented a reorganization in April 2004, Appellant's position no longer had responsibility for supervising the Minimum Security Unit and, therefore, the position became unnecessary. Respondent argues supervision is an allocation criteria for the CRM 1 level, and therefore, the allocation request was appropriately denied. Respondent argues that it was within management's authority to reorganize the unit as it saw fit, as long as all positions were appropriately allocated. Respondent argues that Appellant has not shown any evidence that the duties of her position are not properly allocated, and therefore, her appeal should be denied.

Relevant Classifications. Correctional Records Specialist, class code 39300; Correctional Records Manager 1, class code 39310.

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. Also, a position review is not a comparison of work performed by employees in similar positions. 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 which best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

A Correctional Records Specialist performs "correctional records management tasks and sentencing structure duties within a correctional records office" and "calculates length of incarceration and/or community supervision time under the supervision of a Correctional Records Manager."

A Correctional Records Manager 1 "manages a records office and performs sentence structure duties; or manages the department-wide Offender Base Tracking System audit functions."

The sole issue here is whether the duties of Appellant's position on April 21, 2004, were properly allocated to the Correctional Records Specialist classification or the Correctional Records Manager 1 classification. The record is clear that on April 21, 2004, the day that the department's human resource office received Appellant's request for reallocation, Appellant was performing higher level duties than those encompassed by the Correctional Records Specialist classification. The classification questionnaire Appellant submitted on April 21 supports she was performing work managing a correctional records office and was performing sentence structure duties for a 440 bed minimum security unit housing. These duties clearly warranted reallocation to the Correctional

Records Manager 1. Under WAC 356-10-050(2), Appellant was entitled to retain status in the reallocated position. Furthermore, any subsequent actions by the department to reorganize the unit should have taken into consideration WAC 356-10-060 (8), which states that "wherever possible, agencies shall continue employee's duties unchanged, pending an allocation decision."

Appellant has met her burden. Therefore, the appeal on exceptions should be granted, and the Director's determination dated January 28, 2005, should be reversed.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Appellant is granted, and the Director's determination dated January 28, 2005 is reversed.

DATED this _____ day of _____, 2005.

WASHINGTON STATE PERSONNEL APPEALS BOARD

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Walter T. Hubbard, Chair

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Gerald L. Morgen, Member