

BEFORE THE PERSONNEL RESOURCES BOARD
STATE OF WASHINGTON

EMPLOYMENT SECURITY
DEPARTMENT,

Appellant,

vs.

RANDALL BACHMAN,

Respondent.

CASE NO. R-ALLO-06-004

FINAL ORDER OF THE HEARING
OFFICER FOLLOWING HEARING ON
EXCEPTIONS TO THE
DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This appeal came on for hearing before KATHY BAROS-FRIEDT, Personnel Resources Board Hearing Officer, on Employment Security Department's exceptions to the director's determination dated January 9, 2006. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on October 17, 2006.

Appearances. Appellant Employment Security Department (ESD) was represented by Russell Widders from ESD's Human Resource office. Respondent Randall Bachman was present and was represented by Sherri-Ann Burke, Senior Field Representative for the Washington Federation of State Employees.

Background. Respondent Randall Bachman was allocated to the class of Employment Security Program Coordinator (ESPC) 3. Bachman requested a reallocation of his position by completing and signing a classification questionnaire (CQ) on August 23, 2004. Bachman's supervisor and department head disagreed with the CQ submitted by Bachman.

ESD's human resource office received Bachman's CQ on October 15, 2005. Carol Rembaugh, Human Resource Manager, reviewed the position and by letter dated February 2, 2005, determined that the position was properly allocated to the ESPC 3 classification.

1 On February 25, 2005, Bachman appealed ESD's decision to the director of the Department of
2 Personnel (DOP). On July 21, 2005, the director's designee, Paul Peterson, conducted a review
3 of Bachman's request. Citing Personnel Appeals Board decisions *Butler and Edwards v.*
4 *Employment Security Department*, ALLO-00-0033 & ALLO-00-0035 (2002), by letter dated
5 January 9, 2006, Mr. Peterson determined that Bachman's position should be reallocated to the
6 Information Technology Applications Specialist (ITAS) 4 classification
7

8 On February 2, 2006, ESD filed exceptions to Mr. Peterson's determination. ESD's exceptions are
9 the subject of this proceeding.
10

11 Bachman works for ESD's Employment and Training (E&T) Division as part of the Workforce
12 Administration's Performance and Evaluation unit. Bachman utilizes the SKIES database system to
13 extract information and analyze data to evaluate business programs and services in relation to
14 program and policy development and performance reporting. He designs ad hoc and complex
15 queries using Access and Excel in order to extract data from SKIES. He also consults with
16 information technology staff and others to resolve problems, write test scripts, and test program
17 applications. In addition, he documents instructions for use by others to ensure performance data is
18 properly recorded and retrievable. Bachman does not do programming for the SKIES system.
19

20
21 **Summary of Appellant ESD's Arguments.** ESD argues that Bachman does not perform
22 information technology liaison functions or information technology system functions as envisioned
23 by the ITAS classes. While ESD admits that Bachman does do some liaison functions, ESD argues
24 that these functions are related to the business program rather than the technology aspects of SKIES.
25 ESD asserts that Bachman does not work with the IT division to create and maintain SKIES.
26 Rather, ESD contends that Bachman runs reports and if he finds problems with a report, he reports
27 the problem to IT staff for resolution. ESD asserts that Bachman functions as a senior-level
28
29

specialist for SKIES providing an advanced level of business consultation and liaison functions consistent with the ESPC 3 classification.

Summary of Respondent Bachman's Arguments. Bachman argues that he performs technical duties in support of SKIES and asserts that he plays a role in developing and testing SKIES. Bachman admits that he is not a computer programmer but argues that he provides information to the programmers. Bachman asserts that he writes test scripts, does testing, identifies system issues, works on the system fixes and forwards information to the programmers. Bachman contends that he performs system liaison and consulting tasks for SKIES that best fit the ITAS 4 classification.

Primary Issue. Whether the director's determination that Bachman's position should be reallocated to the ITAS 4 classification should be affirmed.

Relevant Classifications. Employment Security Program Coordinator 3, class code 30220; and Information Technology Applications Specialist 4, class code 03294 (class abolished July 15, 2005).

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 specification. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. *Liddle-Stamper v. Washington State University*, PAB Case No. 3722-A2 (1994).

A consideration made in earlier reviews and decisions by both ESD and DOP was the comparison of *ESD v. Bachman* to *Butler and Edwards*. Though there is the primary similarity of an employee working in that blended and interdependent arena of business and technology,

1 the Board concludes that the differences are more significant to its decision-making. In *Butler*,
2 considerable weight was given to the support of the immediate supervisor, who agreed with the
3 job duties as described by the employees, supporting the reallocation to the proposed IT
4 classification. In *Bachman*, two levels of direct supervision did not concur with the job duties as
5 described by Bachman and did not support the reallocation. In *Butler*, the position analysis was
6 of an existing job classification that the employees inhabited. A major basis of argument in
7 *Butler* was that had the employees had their jobs properly analyzed in the first place, they would
8 have been classified as Computer Information Consultants (CICs) and that in turn would have
9 driven the allocation to either ITAS3 or ITSS4. The timing was a factor. Butler submitted a CQ
10 reallocation request on June 30, 1999, and on July 1, 1999, the Personnel Resources Board
11 adopted revisions to the Information Technology (IT) classes, where numerous CIC positions
12 were then transitioned to the technical classifications.

13
14 At the time of the *Butler* analysis, existing job classifications did not contain language which
15 acknowledged the blended work of business knowledge as critical part of technical development.
16 During the time of the *Bachman* analysis, on the other hand, vehicles did exist for job
17 descriptions to recognize the need for the business to understand the technical aspects and vice
18 versa. These vehicles included: business and technical language in job descriptions,
19 designations of Power Users, and selective certifications for specific positions to acknowledge
20 these blended functions.

21
22 Adequately determining the proper classification for Bachman's position requires examining the
23 distinctions between the ESPC3 and the ITAS4 or ITSS4 specifications. The job specifications
24 commonly include language such as "conducting analysis . . . interpretation. . . designing . . .
25 problem solving . . . training of others . . . making recommendations . . . providing opinions/input
26 for problem solving and alternative solutions . . . use and extraction of data . . . creating final
27 reports."

1 The distinction is contained in the basic definitions. The ESPC3 describes a senior-level
2 specialist performing in a consultative role for program areas; providing advanced level
3 consultation; utilizing a high level of independent judgment; and recognized as the authority
4 working in a designated specialty area. This description allows for the technical functions
5 accomplished by Bachman. The ITAS4 and ITSS4 describe senior level technical specialist
6 functions for major applications and multi-functional databases; independent responsibility for
7 multiple applications of moderate size/complexity or a large, major application, and functioning
8 as a project leader of a major project. The ITSS4, in particular, points to advanced technical
9 functions, such as capacity planning, designing multiple service systems, and installation of
10 regional systems/ hardware/software.

11
12 The Board determines that two elements in the ESPC3 classification specifically allow for
13 Bachman's position to appropriately deal with the business and technical interface of his duties.
14 His work did require technical expertise. These two elements are his position's designation as a
15 Power User and the existence of the selective certification for his particular ESPC3 position.
16 The Power User designation and the selective certification were the mechanisms used by ESD to
17 reflect Bachman's business/technical functions. Those functions which weighed more heavily
18 and directly on the technical support of SKIES are organizationally placed in the Business
19 Systems and Performance Unit of the E&T Division.

20
21 Particularly compelling was the extensive email exchange between Bachman and his supervisors
22 during August and September 2004 in which the supervisor queried and Bachman responded,
23 regarding specific examples of what Bachman claimed were technical responsibility. The
24 supervisor explored these claims with the administrator, who also appeared to have checked in
25 with the Business Services Unit. There was some acknowledgement that Bachman had different
26 roles in early stages of some projects, but that these shifted over time. The Board concludes that
27 Bachman indeed participated or lead in some of the early stage work. Examples include, work
28
29

1 around the Boeing Project, the Data Validation Project, the Boeing Operations Committee the
2 first 6-12 months, helping define SKIES application functionality, and other similar early efforts.

3
4 During these email exchanges, and at the PRB October 2006 hearing, ESD acknowledged that in
5 the early stages of SKIES software development and pilots, it did in fact make use of Bachman's
6 technical skills. ESD acknowledged in their testimony that Bachman was involved in building
7 tables, maintaining the website, and alpha testing of MPR during the development stages of
8 SKIES. However, ESD maintains that these duties may have been the case in the beginning or
9 for the short term but they did not reflect an ongoing autonomous responsibility assigned to
10 Bachman's position. ESD testified that ongoing systems work was not the scope of Bachman's
11 duties. In addition, the SKIES system is maintained by another unit.

12
13 In conclusion, the Board determines that Bachman's job classification was properly allocated as
14 ESPC3. Comparisons to *Butler* were insufficient to compel the same outcome. Bachman's
15 immediate supervisors thoroughly explored his functional description in his reallocation request
16 and did not concur with his assessment of the scope of technical responsibility. The Board
17 determines that Bachman likely had greater level of technical responsibility in the early stages of
18 some work, such as SKIES development and Boeing project, but that this level of work was not
19 ongoing at a level outside of the scope of an ESPC3. Bachman's position is described in the
20 ESPC3 job specifications, the selective certification for his position, and the Power User
21 designation which allow for this level of technical skills within a program, or business arena.
22 Bachman's position should be allocated to the ESPC3 classification.

23 24 **V. ORDER**

25 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions of Employment
26 Security Department is granted and the Director's determination dated January 9, 2006 is
27 reversed.

28
29 DATED this ____ day of _____, 2006.

WASHINGTON PERSONNEL RESOURCES BOARD

KATHY BAROS FRIEDT, Hearing Officer