

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

DONNA BYRNES,	)	
Appellant,	)	CASE NO. R-ALLO-09-038
vs.	)	
	)	ORDER OF THE BOARD
	)	FOLLOWING HEARING ON
DEPARTMENT OF CORRECTIONS,	)	EXCEPTIONS TO THE
	)	DETERMINATION OF THE DIRECTOR
Respondent.	)	

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**Hearing on Exceptions.** This appeal came before the Personnel Resources Board, LAURA ANDERSON, Vice Chair, and DJ MARK, Member, for a hearing on Appellant's exceptions to the director's determination dated October 9, 2009. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on January 27, 2010.

**Appearances.** Appellant Donna Byrnes appeared by telephone and represented herself. Joanne Harmon, Human Resource Consultant, represented Respondent Department of Corrections (DOC).

**Background.** Appellant is a Facility Re-entry Specialist at Airway Heights Correctional Center (AHCC). On April 29, 2008, she requested reallocation of her Corrections Specialist 3 (CS3) position to the Corrections Specialist 4 (CS4) classification. On August 20, 2008, DOC concluded that Appellant's position was properly allocated to the Corrections Specialist 3 classification.

On September 18, 2008, Appellant requested a director's review of DOC's determination. By letter dated October 9, 2009, the director's designee denied Appellant's reallocation request.

On November 9, 2009, Appellant filed exceptions to the director's determination. Appellant's exceptions are the subject of this proceeding.

As the Re-entry Specialist at AHCC, Appellant is responsible for risk management and the re-entry of offenders into the community. Appellant is considered the expert for the offender Risk Management Intensive Transition Re-entry program at AHCC. With a team of facility and

community Re-entry Specialists, she facilitates, coordinates, and implements activities pertaining to the release and re-entry process for high risk and high needs offenders. Her duties include acting as the AHCC liaison to headquarters, overseeing and conducting monthly caseload audits, and producing monthly reports of program activities within AHCC. She also has responsibility to manage, coordinate, facilitate, and monitor the HB 1290 (Expedited Medical Services) Program and Veterans Program at AHCC. In addition, her duties include delivering and assisting in the development and revision of ongoing staff training specific to the re-entry program.

**Summary of Appellant's Arguments.** Appellant argues that when she requested reallocation of her position, the re-entry program was a new initiative. Appellant asserts that she was utilized as the statewide expert for risk management and re-entry because there were no headquarters program managers responsible for the program. Appellant argues that she has a background in offender classification which benefits the program and allows her to develop more comprehensive re-entry plans for offenders. Appellant contends that her duties go beyond coordinating and facilitating meetings because she is also responsible for coordinating the re-entry process, following through on actions and making sure re-entry plans are finalized. Appellant argues that her work and reporting relationships are comparable to the AHCC therapeutic positions that are allocated to CS4 classification and she feels her position should be reallocated on the same basis. Appellant asserts that the director's designee considered information not relevant to work she was performing at the time of her reallocation request. Appellant believes that the information relevant to the timeframe of her review establishes that she coordinates and implements a program for high risk and high needs offenders that includes chemically dependent offenders, deaf offenders and other special needs offenders. In addition, she asserts that she audits the program for compliance with policies, produces monthly reports for headquarters, and because of her classification background is the only person at AHCC responsible for 1290 program and the veterans' program. Appellant contends that her duties and responsibilities fit the CS4 classification.

**Summary of Respondent's Arguments.** Respondent explains that the DOC re-entry program is broad and involves different program areas with a common focus. Respondent asserts the

1 Appellant's component of the program is particular to AHCC. While Respondent recognizes that  
2 Appellant has specialized knowledge and is the "go to" person for the re-entry program at AHCC,  
3 Respondent argues that she is not the expert for the agency and she does not have agency-wide  
4 responsibility. Respondent contends that at AHCC, Appellant coordinates, implements, evaluates,  
5 plans, organizes, tracks caseload, oversees and conducts monthly reviews and caseload audits, and  
6 provides guidance to classification staff and others regarding re-entry for high risk offenders.  
7 Respondent further contends that Appellant's duties include directing risk management assessment  
8 teams, facilitating the re-entry process at AHCC, responsibility for the 1290 program and the  
9 veteran's program, training coaching and providing guidance to staff, and acting as the facility  
10 liaison to headquarters for reporting of activities of high risk offenders at AHCC. Respondent  
11 asserts that the focus of Appellant's position and her oversight of the re-entry program at AHCC,  
12 partnering with other staff, and auditing and reviewing caseloads to facilitate the release of high risk  
13 offenders at AHCC are consistent with the duties and responsibilities described by the CS3  
14 classification.

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16 **Primary Issue.** Whether the director's determination that Appellant's position is properly allocated  
17 to the Corrections Specialist 3 classification should be affirmed.

18 **Relevant Classifications.** Corrections Specialist 3, class code 350C, and Corrections Specialist 4,  
19 class code 350D.  
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21 **Decision of the Board.** The purpose of a position review is to determine which classification best  
22 describes the overall duties and responsibilities of a position. A position review is neither a  
23 measurement of the volume of work performed, nor an evaluation of the expertise with which  
24 that work is performed. A position review is a comparison of the duties and responsibilities of a  
25 particular position to the available classification specifications. This review results in a  
26 determination of the class that best describes the overall duties and responsibilities of the  
27 position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).  
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29

1 Appellant asserts that the director's designee based her determination on irrelevant information.  
2 However, allocation determinations must not be made in a vacuum. It is imperative that the  
3 designee understand the full scope of work assigned to a position. While some of the documents  
4 in the record may be outside of the timeframe covered by this review request, there is no  
5 evidence to show that the designee based her determination on these documents. To the contrary,  
6 as stated in the director's determination, the designee based her decision on the six month period  
7 prior to April 29, 2008, the date that Appellant's reallocation request was submitted to human  
8 resources. Included in this time period are the position description form Appellant signed on  
9 April 22, 2008 and the position review request form she signed on March 6, 2008. Appellant's  
10 exceptions in regard to the basis of the director's determination should be denied.

11 Appellant's exceptions regarding the allocation of CS4 therapeutic positions at AHCC should  
12 also be denied. This Board, as well as our predecessor the Personnel Appeals Board, has long  
13 held that the while a comparison of one position to another similar position may be useful in  
14 gaining a better understanding of the duties performed by and the level of responsibility assigned  
15 to an incumbent, allocation of a position must be based on the overall duties and responsibilities  
16 assigned to an individual position compared to the existing classifications. The allocation or  
17 misallocation of a similar position is not a determining factor in the appropriate allocation of a  
18 position. See for example, Emerson v. Dept. of Transportation, PRB No. R-ALLO-09-010 (2009)  
19 and Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).  
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21 Further, most positions within the civil service system occasionally perform duties that appear in  
22 more than once classification. However, when determining the appropriate classification for a  
23 specific position, the duties and responsibilities of that position must be considered in their  
24 entirety and the position must be allocated to the classification that provides the best fit overall  
25 for the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and  
26 Industries, PRB Case No. R-ALLO-07-007 (2007).  
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28 The following standards, in descending order, are the primary considerations in allocating  
29 positions:

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

In this case, the parties agree that Appellant's position fit within the Corrections Specialist class series.

The definition for Corrections Specialist 4 states:

This is the expert level of the series. Within the Department of Corrections, audits correctional programs for compliance with policy, serves as an offender classification program representative, or coordinates and implements activities for chemical dependency, deaf inmates or intelligence/investigations/canine programs.

In addition, while typical work statements are not allocating criteria, they provide guidance on the level of work typically found in the various class levels within the series. The typical work statements for the CS4 level describe program duties performed at headquarters or positions with agency-wide responsibility. Appellant's position is limited to activities at AHCC, therefore, her position does not meet the level or breadth of work described in the CS4 classification. Rather her duties are best described as specialist duties at an institution.

The definition for Corrections Specialist 3 states:

This is the senior, specialist, or lead worker level of the series. Within the Department of Corrections, develops, coordinates, implements and/or evaluates various correctional program(s) as assigned. Prepares comprehensive reports and makes recommendations for management, identifies and projects trends, and monitors program expenditures for adherence to budgeted allocations. Positions in this class perform professional level duties covering one or more of the following correctional program areas: institutional training, CORE, COACH, offender grievances, institutional hearings (e.g., disciplinary, intensive management, administrative segregation), roster management for major institutions; administers an investigative/intelligence operation at a major institution, which may include other regional and community involvement.

Appellant performs the work of a senior specialist. The majority of her work is related to developing, coordinating, implementing and evaluating the programs assigned to her. As part of evaluating the re-entry program, she conducts caseload audits and prepares monthly reports. She also participates in providing institutional training. While the re-entry program, the 1290 program and the veteran's program are not specifically identified in the CS3 class, they are consistent with the types of program areas included in the class definition. And, the level of work Appellant performs is consistent with the CS3 typical work statements which include interpreting and explaining applicable laws, rules, regulations, policies and procedures, monitoring program activities for compliance; reviewing and developing program processes and activities; and utilizing knowledge of policies, WACs and RCWs.

In a hearing on exceptions, the appellant has the burden of proof. WAC 357-52-110. To meet her burden of proof, Appellant must establish that a majority of her assigned duties and responsibilities fit within the classification to which she wishes to be reallocated. Appellant has failed to meet her burden of proof. Therefore, the appeal on exceptions should be denied, and the director's determination, dated October 9, 2009, should be affirmed.

### **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Donna Byrnes is denied, and the director's determination dated October 9, 2009, is affirmed.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.

WASHINGTON PERSONNEL RESOURCES BOARD

\_\_\_\_\_  
LAURA ANDERSON, Vice Chair

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DJ MARK, Member