

JAVAUD RASAIIE,)	CASE NO. R-ALLO-09-031
Appellant,)	
vs.)	ORDER OF THE BOARD
)	FOLLOWING HEARING ON
DEPARTMENT OF TRANSPORTATION,)	EXCEPTIONS TO THE
Respondent.)	DETERMINATION OF THE DIRECTOR

On August 10, 2009, Appellant filed exceptions to the director's determination. Appellant's exceptions are the subject of this proceeding.

1 Appellant works in the Northwest Region, Sno-King Construction at Overlake. Appellant spends a
2 majority of his work time doing survey work as a member of a two-person survey team. Bob Buster
3 was Appellant's lead person prior to May 2008. When Mr. Buster is on leave, Appellant conducts
4 the survey work without the direct oversight of a lead person. As a member of the survey team,
5 Appellant operates a variety of survey equipment. He also updates computer programs with survey
6 information and uses computer programs to check the accuracy of the work of contracted surveyors.

7
8 **Summary of Appellant's Arguments.** Appellant argues that Mr. Buster was the only person who
9 directed his work from 2006 to May 2008 and that the agency and director's designee erred by not
10 seeking input from Mr. Buster as part of their review of his position. Appellant further argues that
11 Mr. Buster attested to the duties and responsibilities performed by Appellant and refers the Board to
12 exhibit A-8 as support for his reallocation. In exhibit A-8, Mr. Buster indicates, in part, that
13 Appellant is a good worker; he is experienced and picks up new concepts quickly; and he is able to
14 perform the survey work in Mr. Buster's absence. Appellant admits that he has not completed the
15 components required for automatic advancement to the TT3 level but argues that he did not have the
16 time to do the work or complete the test required to advance automatically. Appellant asserts that he
17 has been performing the work at the TT3 level for about 4 years and that his position should be
18 reallocated.

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20 **Summary of Respondent's Arguments.** Respondent argues that the agency considered the
21 information provided by Mr. Buster along with other pertinent information. Respondent argues that
22 the Classification Position Description submitted by Appellant was inaccurate and that the March
23 2007 position description was the more current description for his position. Respondent
24 acknowledges that Appellant is capable of perform work at the TT3 level and that he works
25 independently on occasion but not a majority of the time. However, Respondent contends that
26 Appellant cannot be advanced to the TT3 level until he completes all the components of the
27 requirements for advancement found in the TT3 level.

1 **Primary Issue.** Whether the director's determination that Appellant's position is properly allocated
2 to the Transportation Technician 2 classification should be affirmed.

3
4 **Relevant Classifications.** Transportation Technician 2, class code 538S; Transportation Technician
5 3, class code 538T.

6
7 **Decision of the Board.** The purpose of a position review is to determine which classification best
8 describes the overall duties and responsibilities of a position. A position review is neither a
9 measurement of the volume of work performed, nor an evaluation of the expertise with which that
10 work is performed. A position review is a comparison of the duties and responsibilities of a
11 particular position to the available classification specifications. This review results in a
12 determination of the class that best describes the overall duties and responsibilities of the position.
13 See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

14
15 The distinguishing characteristics for Transportation Technician 3 class state:

16 In the office, laboratory and/or field, incumbents perform skilled technical tasks in
17 support of engineering projects and programs. Incumbents typically receive
18 instructions about the work to be done including scheduling and priorities, but
19 work with relative independence in selecting methods and resolving routine
20 problems. Employees at this level are expected to exercise initiative and judgment
21 in independently carrying out assignments according to established policies,
22 procedures and standards. When solutions are not readily attainable, the employee
23 refers the problem to the supervisor. Leadership responsibility is normally limited
24 to on-the-job training of other technical staff. May act as crew leader on specific
25 assignments that do not require ongoing direction from a supervisor.

26
27 Appellant may be capable of performing work at the TT3 level; however, allocation is not based on
28 a person's abilities or level of performance. Rather, allocation is based on the overall duties and
29 responsibilities assigned to a position. The majority of Appellant's duties and responsibilities are
performed as a member of a survey team where he receives oversight and instruction from the team
lead. While Appellant performs independently on occasion, the overall majority of his work does not
reach the level of independence found at the TT3 level.

The distinguishing characteristics for Transportation Technician 2 class state:

In addition to basic duties, incumbents perform semi-skilled technical work and receive on-the-job instruction, classroom training and self-study courses in order to develop journey level knowledge of technical engineering principles and practices. To facilitate development, incumbents perform a variety of well-defined technical support activities in the office, laboratory and/or field. Incumbents receive instructions about the work to be done, ongoing technical guidance and their work is reviewed upon completion. Independent assignments are limited to those requiring the routine application of well established standards. As employees develop, they are expected to solve a limited range of problems by referring to prior training, manuals and procedures while moderate problems are referred to superiors. Leadership of others is limited to training of beginning technical staff. Over time, incumbents grow to independently perform a broad range of semi-skilled technical duties and, under supervision, begin to perform journey level work.

The Transportation Technician 2 class further provides that:

Employees will be advanced to Transportation Technician 2 after:

1. Completing two years of satisfactory service as a Transportation Technician 1; and
2. Successful completion of the WSDOT's mandatory training matrix for automatic promotion to the Transportation Technician 2 class; and
3. Passing a qualifying examination.

Appellant admits that he has not completed the mandatory training matrix or passed the qualifying examination for advancement to the TT3 classification. The majority of Appellant's work entails functioning as a member of a survey team under the guidance and direction of a survey team lead. Therefore, the scope of Appellant's work and the level of independence he exercises are described at the TT2 level.

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

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ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Javaud Rasaie is denied and the director's determination dated July 9, 2009, is affirmed and adopted.

DATED this ____ day of _____, 2009.

WASHINGTON PERSONNEL RESOURCES BOARD

LAURA ANDERSON, Vice Chair

DJ MARK, Member