

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

RON ALLOTTA,

Appellant,

vs.

DEPARTMENT OF INFORMATION
SERVICES,

Respondent.

CASE NO. R-ALLO-09-021

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, JOSEPH PINZONE, Chair; LAURA ANDERSON, Vice Chair; and DJ MARK, Member, for a hearing on Appellant's exceptions to the director's determination dated June 15, 2009. The hearing was held on October 21, 2009.

Appearances. Appellant Ron Allotta was represented by Michael Hanbey, Attorney at Law. Alicia Ozanich Young, Assistant Attorney General, represented Respondent Department of Information Services (DIS).

Background. Appellant is employed by DIS as an Information Technology Specialist 5 (ITS5). Appellant completed a Position Review Request (PRR) form on April 26, 2007 asking that his position be reallocated to the Information Technology Systems/Applications Specialist 6 (ITS/AS6) classification. By letter dated September 19, 2007, DIS denied his request.

On August 30, 2007, Appellant requested a director's review of DIS's determination. By letter dated June 15, 2009, the director's designee denied Appellant's reallocation request.

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

Appellant works in the Telecommunications Services Division (TSD) at DIS. TSD is responsible for setting up telecommunications services including equipment, wiring and transmission. At the time of his position review, Appellant was tasked with creating and implementing, from start to finish, the details of designs developed by a team of architects and engineers for the next generation network (NGN) project. Appellant analyzed and converted long range strategic plans into technical specifications for service implementation. Appellant performed complex and highly technical work at an expert level.

Summary of Appellant's Arguments. Appellant completed the PRR form requesting reallocation of his position. He submitted the PRR form to his supervisor. His supervisor signed the form as did the Assistant Director for Telecommunication Services. Appellant argues that by signing the form, his supervisor and the Assistant Director attested to and agreed with the duties of his position as described in the PRR form. Appellant also argues that the duties described in the form and the signatures on the form delegate him as the highest level authority as required by the ITS/AS6 classification. Appellant asserts that the director's designee erred by considering the 2003 Classification Questionnaire for his position. Appellant further asserts that the director's designee erred by considering information the Assistant Director provided after signing the PRR form. Appellant contends that a fair examination of his duties as described in his PRR form supports reallocation of his position to the ITS/AS6 classification.

Summary of Respondent's Arguments. Respondent argues that the supervisor's and Assistant Director's signatures on the PRR form do not indicate agreement with Appellant's description of his duties and do not serve the purpose of designating Appellant as the highest level authority as required for allocation to the ITS/AS6 classification. Respondent contends that the signatures are a part of the process for moving the request forward to human resources for review. Respondent further contends that a PRR form cannot forever bind the agency to a description of duties when the supervisor says that the description of duties is not accurate. Respondent asserts that designation in writing by management must occur in order to reallocate Appellant's position to the ITS/AS6 class.

Respondent argues a designation is not given to an employee by the employee's request for review. Respondent further argues that the decisions made by Appellant's position are related to the tactical implementation of designs created by others and are not consistent with the level of decision making found at the ITS/AS6 level. Respondent contends that Appellant's position is properly allocated to the ITS5 classification.

Primary Issue. Whether the director's determination that Appellant's position is properly allocated to the Information Technology Specialist 5 classification should be affirmed.

Relevant Classifications. Information Technology Specialist 5, class code 479N, and Information Technology Systems/Applications Specialist 6, class code 479N.

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).

The definition for Information Technology Systems/Applications Specialist 6 (ITS/AS6) states:

Serves as the highest level authority for an agency or in a major subdivision of DSHS in an information technology specialty area such as, but not limited to: operating system architecture, network architecture, applications development, applications support and enhancement, desktop/server operating systems, data architecture/administration, security architecture/administration, project management methodology or telephony systems architecture.

The distinguishing characteristics for the ITSAS6 state, in part:

This is the expert professional level where incumbents are designated in writing by IT/IS management to provide technical and organizational leadership in a

1 specialized area of technology. Incumbents possess advanced technical as well as
2 business knowledge and grasp the overall impact of their specialty such that they are
3 trusted by management to independently deal with high risk, high profile initiatives
4 that may impact significant/fundamental public services. Incumbents have mastered
5 the ability to translate technological options into business terms and interact with
6 executive management to create technology solutions to mission critical business
7 problems. Incumbents in this class serve as the agency spokesperson in their area of
8 technical expertise and may make commitments on behalf of their agency. Serve as
9 a technical mentor, coach and trainer to others. Often supervises others.

10 WAC 357-13-030 requires employers to maintain a current position description for each
11 position. The PRR form does not replace the position description maintained by the employer.
12 The PRR form is tool for employees to use when requesting a position review. The form assists
13 employees by asking for relevant information and a description of their duties and
14 responsibilities as they perceive them. When an employee submits a PRR form, the review
15 process begins. It is imperative that during a position review, all relevant information is
16 considered. A review should not be limited to the statements contained in the PRR form alone.

17 We have carefully reviewed the PRR form completed by Appellant. We find that the supervisor's
18 and Assistant Director's signatures on the form are not intended to indicate agreement or
19 disagreement with the duties described by the Appellant. The instructions to the supervisor
20 specifically state: "[r]eview the employee's statements and complete the 'Supervisor Review'
21 section. Send the completed form to the human resources office." Unlike the classification
22 questionnaire (CQ) the PRR form used in this case does not include a section for the supervisor
23 to check whether he/she agrees or disagrees with the employee's statements.

24 In this case, the Supervisor Review section of the PRR form indicates that Appellant works
25 independently and possesses a high level of technical skills used to implement services across the
26 Agency Technology Services structure. The PRR form does not indicate that the supervisor or the
27 Assistant Director has designated Appellant's position as the highest level authority. Based on
28 the record, Appellant has not been given written designation as the highest level authority to
29 provide technical and organizational leadership in a specialized area of technology.

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2 In Eastern Washington University v. Akin, PRB Case No. R-ALLO-09-004 (2009), this Board
3 found that the appellant's job description contained no written designation by management as the
4 highest-level authority or expert professional level position. The Board stated that allocation to the
5 ITS/AS6 classification is not appropriate unless such a written designation has been given by
6 information technology or information services management. The Board concluded that because the
7 appellant lacked this designation, his position did not fit within the ITS/AS6 classification.

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9 The Board's decision in Akin is supported by Lisle v. Department of Labor and Industries, PAB
10 Case No. ALLO-00-0020 (2000), in which the Personnel Appeals Board reallocated an employee
11 to the ITS/AS6 classification after finding that the employee's classification questionnaire, which
12 was signed by his supervisor and by the Assistant Director of Information Services, designated
13 the employee as the agency's highest level authority and highest technical specialist for the
14 department.

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16 Further, in Osborne v. Department of Transportation, PAB Case No. ALLO-02-0032 (2003), the
17 Personnel Appeals Board discussed the importance of written designation at the ITS/AS6 level.
18 In Osborne, the board stated:

19 Consistent with our decisions in Griffith v. Dep't of Ecology, PAB Case No.
20 ALLO-00-0016 (2000) and Stash v. Dep't of Ecology, PAB Case No. ALLO-00-
21 0001 (1999), when a classification specification requires written designation, we
22 must look for a document that confers such a designation upon the position in
23 question. This written documentation can be a formal agency designation form, an
24 approved CQ, or other written documentation. We find no document that confers,
25 as required in the ITS/AS6 specification, written designation for Appellant's
26 position to be designated at the ITS/AS6 job classification. Because Appellant
27 lacks written designation from the IT/IS management, the scope of duties and
28 level of independence assigned to his position are best described by the ITAS5
29 classification.

30 In this case, because Appellant's position lacks the written designation required by the ITS/AS6
31 classification, allocation to this class is not appropriate.

The definition for Information Technology Specialist 5 states:

“This is the supervisory or expert level. Provides expert consultation and specialized analysis, design, development, acquisition, installation, maintenance, programming, testing, quality assurance, troubleshooting, and/or problem resolution tasks for major organization-wide, high risk/high impact, or mission-critical applications computing and/or telecommunication systems, projects, databases or database management systems; support products, or operational problems.

Performs highly-complex tasks such as conducting capacity planning to determine organization-wide needs and make recommendations; designing complex agency- or institution-wide enterprise systems crossing multiple networks, platforms or telecommunication environments; overseeing the daily operations of large-scale or enterprise systems; identifying and resolving operational problems for major high risk systems with centralized, organization-wide functions; testing multi-dimensional applications, providing quality assurance; developing standards or enhancing existing, high risk and impact, mission critical applications; integrating business solutions, or writing feasibility studies and decision packages for high visibility/impact initiatives.

Provides leadership and expert consultation for large-scale projects or enterprise systems that often integrate new technology and/or carry out organization-wide information technology functions, or impact other institutions or agencies. Provides project management leadership, technical expertise and demonstrates knowledge of project management practices, principles, and skills.

May supervise information technology specialists or function as a recognized expert who is sought out by others in resolving or assessing controversial or precedent-setting issues.”

Appellant’s expertise, scope of assigned duties and responsibilities, and level of authority are fully encompassed in the ITS5 classification.

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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1 **ORDER**

2 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Ron Allotta is
3 denied and the director's determination dated June 15, 2009, is affirmed.

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5 DATED this ____ day of _____, 2009.

6 WASHINGTON PERSONNEL RESOURCES BOARD

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9 JOSEPH PINZONE, Chair

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11 _____
12 LAURA ANDERSON, Vice Chair

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14 _____
15 DJ MARK, Member