



1 The Director's review investigator, Meredith Huff, conducted a review of Appellant's request for  
2 reallocation. By letter dated December 10, 2008, Ms. Huff determined that Appellant's position  
3 was properly allocated to the Radiation Safety Technician 3 classification.

4  
5 On December 26, 2008, Appellant filed exceptions to Ms. Huff's determination. In his exceptions,  
6 Appellant asked that his position be reallocated to the Health Physicist 1 classification. Appellant's  
7 exceptions are the subject of this proceeding.

8  
9 Appellant works in WSU's Radiation Safety Office and is responsible for the lab survey program  
10 and monitoring WSU radiation licensing use, exposure, inventory, shipment and disposal as  
11 required by the State Department of Health. He surveys and inspects campus radiation use areas,  
12 as well as provides service support in the control and management of radioactive materials and  
13 waste and the calibration of instruments. Appellant coordinates activities in support of radiation  
14 safety, such as scheduling inspections of the campus labs for contamination; issuing and collecting  
15 badges and rings to and from lab users; conducting inventories, monitoring purchases of materials  
16 and equipment and updating the inventory database; and doing bioassay, personal dosimetry,  
17 urinalysis and vito thyroid testing. In performing these tasks, Appellant follows established  
18 protocol and the standard operating procedures established by the campus Radiation Safety  
19 Committee.

20  
21 **Summary of Appellant's Arguments.** Appellant argues that the Health Physicist 1 classification  
22 best describes his duties and responsibilities in the Radiation Safety Office. Appellant asserts that  
23 he is being held to a more rigid and literal interpretation of the HP1 requirements than other  
24 positions allocated to the Health Physicist 1 classification.

25  
26 Appellant contends that the nature of his work is professional, as encompassed by the Health  
27 Physicist 1 classification, and that his extensive specialized training qualifies him for the Health  
28 Physicist 1 classification.

1 Appellant argues that he maintains the operation of the radiation safety unit programs including the  
2 laboratory survey program, personnel dosimetry, urinalysis, and bioassay programs. Appellant also  
3 argues that the supervision he receives meets the Health Physicist 1 definition. Appellant further  
4 argues that the maintenance of the various programs units he manages fall under the Health  
5 Physicist 1 definition. Appellant contends that in addition to maintaining the program unit(s), as  
6 stated above, he developed and instituted changes to improve several program units.

7  
8 Appellant argues that as an authorized representative within the WSU Radiation Safety Office, he  
9 has delegated authority to conduct licensing pre-authorization evaluation and inspection of  
10 radiation laboratories. Appellant explains that he is one of four staff members in the Radiation  
11 Safety Office who are responsible for verifying the information prior to authorization and approval  
12 by the Radiation Safety Committee. Appellant contends that his duties and responsibilities are best  
13 described by the Health Physicist 1 classification.

14  
15 **Summary of Respondent's Arguments.** Respondent argues Appellant's position is properly  
16 allocated to the Radiation Safety Technician 3 classification. Further, Respondent argues that  
17 Appellant's work does not rise to the level of professional work, he does not maintain the WSU  
18 radiation safety program operations, and he does not have the responsibility for conducting the  
19 licensing pre-authorization evaluations of radiation laboratories, instruments and work practices as  
20 required by the Health Physicist 1 class specification.

21  
22 Respondent asserts that Appellant is responsible for coordination of routine radiation safety  
23 programs such as laboratory surveys, bioassay and personal dosimetry and performing primarily  
24 technical duties within these areas. Respondent further asserts that these programs have strictly  
25 established parameters and that deviation from these standards requires higher authority approval.  
26 Respondent argues that the nature of Appellant's work is technical rather than professional.  
27 Respondent contends that the Radiation Safety Officer and Radiation Safety Committee have the  
28 overall authority and control over program operations, modifications and compliance assurance.

Respondent argues that Appellant's tasks follow established protocol and the standard operating procedures established by the Radiation Safety Committee.

Respondent acknowledges that Appellant is a conscientious employee who shows initiative and takes pride in doing his work well. However, based on the assignment of duties in comparison with the available job classifications, Respondent contends that Appellant's position is properly allocated to the Radiation Safety Technician 3 classification.

**Primary Issue.** Whether the director's determination that Appellant's position is properly allocated to the Radiation Safety Technician 3 classification should be affirmed.

**Relevant Classifications.** Health Physicist 1, class code 400E, and Radiation Safety Technician 3, class code 400K.

**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).

Appellant argues that he is being held to a higher allocation standard than other positions allocated to the HP1 classification. In Byrnes v. Department of Personnel and Corrections, PRB No. R-ALLO-06-005 (2006), the Board held that "[w]hile a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is not a determining factor in the appropriate

1 allocation of a position.” Citing to Flahaut v. Dept’s of Personnel and Labor and Industries, PAB  
2 No. ALLO 96-0009 (1996). Therefore, the allocation or misallocation of other positions is not a  
3 determining factor in the appropriate allocation of Appellant’s positions.

4  
5 Appellant also argues that he meets the qualifications found in the HP1 classification. However,  
6 classification desirable or minimum qualifications are not allocation criteria. This Board has  
7 consistently held that the primary considerations in allocating positions are the:

- 8 a) Category concept (if one exists).
- 9 b) Definition or basic function of the class.
- 10 c) Distinguishing characteristics of a class.
- 11 d) Class series concept, definition/basic function, and distinguishing characteristics of other  
12 classes in the series in question.

13 The class series concept for the Health Physicist 1 classification states: “[p]erform professional  
14 assignments related to the regulatory requirements at the institution to assure the safe use of  
15 radiation.”

16 The HP1 definition states:

17 Under general supervision, maintain operation of a radiation safety program unit(s)  
18 such as laboratory surveys and inspections, personnel monitoring, waste collection  
19 and disposal, radioactive material inventory control, radiation instrument  
20 calibration, etc. Advise faculty and staff concerning compliance with radiation  
21 control regulations and conditions of the institution's license to use radioactive  
22 material.

23 The HP1 distinguishing characteristics state, in relevant part:

24 Conduct licensing pre-authorization evaluation and inspection of radiation  
25 laboratories, instruments and work practices to ensure compliance with campus,  
26 state and federal regulations on radiation safety.

27 Appellant’s position does not perform professional work as encompassed by the Health Physicist 1  
28 classification. Appellant does not maintain the operation of a radiation safety program unit and is  
29 not required to conduct licensing and pre-authorization evaluation at the level required by HP1

1 class. Rather, the Radiation Safety Officer has the overall authority and responsibility for all  
2 radiation safety activities for WSU. Appellant's position does not meet the scope of authority or  
3 perform the level of professional duties encompassed in the Health Physicist 1 class.

4  
5 The class series concept for the Radiation Safety Technician 3 classification states: "[m]onitor,  
6 survey, and inspect campus radiation use areas as required by state and federal regulations. Provide  
7 service support in the control and management of radioactive materials and radioactive waste and  
8 calibration of radiation instruments."

9  
10 The Radiation Safety Technician 3 distinguishing characteristics state, in relevant part:  
11 "[c]oordinate routine programs such as laboratory surveys and radiation source inventories to  
12 assure that program quality and schedules are maintained according to established protocol."

13  
14 Appellant position fits into the Radiation Safety Technician 3 classification. Appellant is  
15 responsible for coordinating routine radiation safety programs such as laboratory surveys,  
16 bioassay, urinalysis, and personal dosimetry. In addition, he is responsible for records management  
17 and radiation source inventories. Appellant assures that program quality and schedules are  
18 maintained according to established protocol. He performs technical duties in support of the  
19 Radiation Safety Office and follows established protocol and the standard operating procedures  
20 established by the campus Radiation Safety Committee. Appellant's work responsibilities are  
21 encompassed within the scope and nature of the Radiation Safety Technician 3 class.

22  
23 In a hearing on exceptions, the Appellant has the burden of proof. WAC 357-52-110. Appellant  
24 has failed to meet his burden of proof. Based on the available classifications, Appellant's position  
25 is properly allocated to the Radiation Safety Technician 3 classification.

1 **ORDER**

2  
3 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by John Smeltz  
4 is denied, and the Director's determination dated December 10, 2008 is affirmed and adopted.

5 DATED this \_\_\_\_ day of \_\_\_\_\_, 2009.

6 WASHINGTON PERSONNEL RESOURCES BOARD

7  
8 \_\_\_\_\_  
9 JOSEPH PINZONE, Vice Chair

10  
11 \_\_\_\_\_  
12 LAURA ANDERSON, Member

13  
14 \_\_\_\_\_  
15 DJ MARK, Member