

BEFORE THE PERSONNEL RESOURCES BOARD
STATE OF WASHINGTON

WILLIAM RUH,

Appellant,

vs.

WASHINGTON STATE PARKS AND
RECREATION COMMISSION,

Respondent.

CASE NO. R-ALLO-07-004

ORDER OF THE BOARD
FOLLOWING HEARING ON
EXCEPTIONS TO THE
DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This appeal came on for hearing before the Personnel Resources Board, LARRY GOODMAN, Chair; LAURA ANDERSON, Vice Chair; and MARSHA TADANO LONG, Member, on Appellant's exceptions to the director's determination dated March 7, 2007. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on July 11, 2007.

Appearances. Appellant William Ruh was present and represented himself *Pro Se*. Washington State Parks and Recreation Commission (Parks) was represented by George Price, Human Resource Consultant.

Background. Appellant's position was allocated to the class of Park Ranger 1. On December 23, 2005, he signed a Classification Questionnaire (CQ) requesting reallocation to the Park Ranger 2 classification.

By letter dated January 31, 2006, George Price, Human Resource Consultant for Parks, denied Appellant's request. Appellant appealed Mr. Price's decision to the director of the Department of Personnel (DOP). On October 6, 2006, Teresa Parsons, the director's designee, conducted a review of Appellant's request. By letter dated March 7, 2007, Ms. Parsons determined that Appellant's position was properly allocated to the Park Ranger 1 level.

1 On April 5, 2007, Appellant filed exceptions to the director's determination. Appellant's exceptions
2 are the subject of this proceeding.

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4 Appellant's position is located at Deception Pass State Park. He began employment with Parks in
5 December 2001 and has worked as a commissioned Park Ranger since March 2004. Based on the
6 record before the Board, Appellant assists higher level rangers but also performs much of his work
7 independently. Appellant performs duties typically performed by park staff assigned to both the Park
8 Ranger 1 and 2 levels, including, but not limited to, maintenance duties, protecting park property and
9 visitors, providing a presence to members of the public as a commissioned law enforcement officer,
10 issuing citations, and performing administrative duties such as issuing various park passes and
11 performing registration activities.

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13 **Summary of Appellant's Arguments.** Appellant argues that he performs the same duties that are
14 performed by positions allocated to the Park Ranger 2 level. He contends that he works
15 independently and responds to incidents as a commissioned law enforcement officer. He asserts that
16 his work is consistent with journey-level park ranger duties and that his position should be
17 reallocated.

18
19 **Summary of Respondent's Arguments.** Respondent acknowledges that the work performed by
20 Park Ranger 1 and 2 positions is similar but asserts that the difference lies in the level of
21 independence with which the work is performed. Respondent contends that while Appellant
22 performs similar duties to the 2 level, he does not perform them with the level of independence or
23 journey-level skill needed for allocation to the 2 level. Rather, Respondent argues that Appellant
24 assists higher-level park rangers and does not perform journey-level maintenance tasks such as
25 repairing water pipes, shower meters, and sewer blockages that Park Ranger 2s would typically
26 perform. Respondent argues that Appellant does not exercise the level of independence or skill
27 needed to support reallocation to the Park Ranger 2 classification.

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

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4 **Relevant Classifications.** Park Ranger 1, class code 389A, and Park Ranger 2, class code 389B.

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

13
14 The distinguishing characteristics for Park Ranger 1 state:

15 This is the entry level of the series. Incumbents are assigned progressively more
16 complex and responsible duties. This level is designed to provide training
17 opportunities and experience to become a fully qualified park ranger. Incumbents
18 must successfully complete a law enforcement academy as approved by the
19 Washington State Parks and Recreation Commission and agency identified training
20 within the first 12 months of employment. Incumbents may serve as a lead worker
for less trained park employees, volunteers, and temporary employees. Trained
supervisors.

21
22 The Park Ranger 1 classification is typically an in-training classification with an in-training program
23 initially set at 18 months. Once an incumbent successfully completes the in-training program, the
24 employee is promoted to Park Ranger 2. Appellant has been a Park Ranger 1 since December 16,
25 2001. Since that time, he has been provided training and experience as a park ranger and he has
26 successfully completed training at the law enforcement academy and has become a commissioned
27 law enforcement officer. Appellant has not been provided a formal park ranger training plan;
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1 however, at the time of his request for position review, he had been performing at the Park Ranger 1
2 level for more than four years.

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4 The distinguishing characteristics for Park Ranger 2 state:

5 Positions at this level independently perform journey level Park Ranger duties
6 including law enforcement and may have one of the following assignments:

- 7 • Responsibility for the management and operation of a Class 2 State park.
- 8 • Serve as a head ranger in a Class 2 satellite park unit in an area management concept.
- 9 • Serve as principal assistant to a Park Ranger 3.
- 10 • Leads and direct one or more permanent Park Ranger 1.
- 11 • Serves as a full-time, year-round Environmental Learning Center (ELC) Manager.

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13 During the hearing before the Board, neither Appellant nor Respondent were able to describe with
14 clarity and specificity the difference between the work assigned to Appellant's position and what is
15 considered journey-level park ranger work. Furthermore, based on the arguments presented to the
16 Board and the documents in the record, Respondent appears to be using Appellant's performance
17 rather than the duties and responsibilities assigned to his position as the primary allocating criteria
18 for his position. The question here is not whether Appellant is performing the duties assigned to his
19 position well, but whether the duties assigned to his position are duties best described by the Park
20 Ranger 2 classification. This Board and its predecessor, the Personnel Appeals Board, have
21 consistently held that a position review is not an evaluation of the expertise with which work is
22 performed but that it is a comparison of the duties and responsibilities of a particular position to the
23 available classification specifications.

24
25 In the CQ for Appellant's position, Appellant's supervisor, Jim Aggergaard, indicates that he
26 provides supervision to Appellant on a "spot check basis only." This level of supervision supports
27 Appellant's argument that he performs the duties of his position independently. In a letter dated
28 January 9, 2006, Mr. Aggergaard, disagreed with Appellant's request for reallocation. Mr.

Aggergaard based his reasoning on Appellant's ability to perform the work assigned to his position. Mr. Aggergaard did not disagree that the position was assigned the duties and responsibilities described in the CQ.

As indicated by Respondent during the hearing on this appeal, the work performed by the 1 and 2 levels is the essentially same. Appellant's position meets the distinguishing characteristics of the Park Ranger 2, because the position is assigned to ". . . independently perform journey level Park Ranger duties including law enforcement. . . ." Therefore, Appellant's position should be reallocated to the Park Ranger 2 classification.

The question of whether Appellant has the abilities and skills to perform the duties and responsibilities assigned to his position is outside of the scope of the allocation process.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by William Ruh is granted, the director's determination is reversed, and Appellant's position is reallocated to the Park Ranger 2 classification.

DATED this ____ day of _____, 2007.

WASHINGTON PERSONNEL RESOURCES BOARD

LARRY GOODMAN, Chair

LAURA ANDERSON, Vice Chair

MARSHA TADANO LONG, Member