

BEFORE THE PERSONNEL RESOURCES BOARD  
STATE OF WASHINGTON

WILLIAM HEGGE,

Appellant,

vs.

DEPARTMENT OF TRANSPORTATION,

Respondent.

CASE NO. R-ALLO-06-007

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, Member, on Appellant's exceptions to the Director's determination dated March 27, 2006. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on August 2, 2006. MARSHA TADANO LONG, Vice Chair, reviewed the record, including the file, exhibits, and the entire recorded proceedings, and participated in the decision in this matter.

**Appearances.** Appellant William Hegge, was present and represented himself. Department of Transportation (DOT) was represented by Niki Pavlicek, Classification and Compensation Manager.

**Background.** Appellant was allocated to the class of Transportation Engineer (TE) 3. He requested reallocation of his position by submitting a classification questionnaire to DOT's human resource office. Appellant signed the CQ on January 24, 2005, and requested that his position be reallocated to the TE 5 classification. Appellant's supervisor agreed with Appellant's description of his duties, however, his department head disagreed.

On March 1, 2005, management submitted a classification questionnaire requesting that Appellant's position be reallocated to the TE 4 classification. Respondent granted management's request and reallocated Appellant's position to the TE 4 classification.

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2 By letter dated August 5, 2005, Respondent denied Appellant's request to be reallocated to a TE  
3 5, but finding that his position was properly allocated to the TE 4 classification. On August 12,  
4 2005, Appellant appealed DOT's decision to the Director of the Department of Personnel. On  
5 January 30, 2006, the Directors' designee, Paul Peterson, conducted a review of Appellant's  
6 request. By letter dated March 27, 2006, Mr. Peterson determined that Appellant's position was  
7 properly allocated to the TE 4 classification.  
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10 On April 25, 2006, Appellant filed exceptions to Mr. Peterson's determination. Appellant's  
11 exceptions are the subject of this proceeding.  
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13 Appellant works in the Geotechnical Division of DOT's Headquarters Materials Lab. Appellant is a  
14 registered professional engineer. He is assigned to perform design work on complex, large projects  
15 using his knowledge and skills in a specialized technical area. Appellant's work is reviewed in  
16 accordance with agency policy by his supervisor and others prior to finalization of the assignment.  
17 When Appellant submits an assignment for review, he stamps the document to certify that he has  
18 done the work and agrees with the information within the document.  
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21 **Summary of Appellant's Arguments.** Appellant argues that the majority of his work is senior-  
22 level work encompassed at the TE 5 level, that he works independently and that he makes decisions  
23 on projects. However, Appellant acknowledges that when a disagreement arises over a project  
24 design issue, he checks with his supervisor before proceeding. Appellant argues that all work  
25 products, include those of the TE 5's, are reviewed by others in accordance with agency policy.  
26 Appellant asserts that the only distinguisher between the TE 4 and TE 5 positions employed by  
27 Respondent is the supervisory responsibilities assigned to the TE 5 positions. Appellant contends  
28 that he works a majority of time performing senior-level work on complex, technical projects and  
29 that his duties and responsibilities are best described by the TE 5 classification.

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2 **Summary of Respondent's Arguments.** Respondent acknowledges that Appellant occasionally  
3 performs complex senior-level work but contends that this work does not constitute a majority of his  
4 duties and responsibilities. Respondent argues that the majority of Appellant's duties and  
5 responsibilities fit the TE 4 classification. Respondent asserts that the majority of Appellant's work  
6 is technical production level work for complex projects. Respondent further asserts that Appellant's  
7 work is reviewed by TE 5's and above during various stages and during the final stage of the project.  
8 Respondent contends that Appellant's supervisor and other reviewers are responsible for advising  
9 project managers of necessary changes and have decision-making authority for design changes that  
10 deviate from the normal course of business. Respondent argues that Appellant's position is properly  
11 allocated to the TE 4 classification.  
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14 **Primary Issue.** Whether the director's determination that Appellant's position is properly allocated  
15 to the Transportation Engineer 4 classification should be affirmed.  
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17 **Relevant Classifications.** Transportation Engineer 4, class code 66180; and Transportation  
18 Engineer 5, class code 66200.  
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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 that  
24 work is performed. Also, a position review is not a comparison of work performed by employees in  
25 similar positions. A position review is a comparison of the duties and responsibilities of a particular  
26 position to the available classification specification. This review results in a determination of the  
27 class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v.  
28 Washington State University, PAB Case No. 3722-A2 (1994).  
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1 The definition for TE 5 states: “As a registered professional engineer, performs senior level  
2 professional engineering work, which constitutes the practice of engineering as defined by RCW  
3 18.43.”

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5 The distinguishing characteristics for TE 5 state, in relevant part:

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7 Assignments involve independent responsibility for organizing, directing and  
8 coordinating professional engineering activities of considerable scope and  
9 complexity. Incumbents apply in-depth, diversified knowledge of engineering, use  
10 advanced techniques, and make final decisions within their area of responsibility.  
11 Supervision is consulted on critical issues, policy matters, and unusual problems.  
12 Incumbents are usually responsible for a complex engineering unit or function  
13 including supervision of several support staff or serve as consultants in a specialized  
14 area of engineering having significant statewide impact.

15 While reporting to a Transportation Supervising Engineer, Bridge Engineering  
16 Supervisor or Transportation Planning Supervisor or above, typical assignments at  
17 this level fall into one or more of the following categories:

18 . . . .

19 3. Statewide specialist in a complex technical area which constitutes the senior level  
20 practice of professional engineering.

21 As acknowledged by Respondent, occasionally Appellant performs duties at the TE 5 level.  
22 However, based on the evidence presented to the Board and to the director’s designee, Appellant is  
23 not responsible for a complex engineering unit or function nor is he a consultant in a specialized area  
24 having significant statewide impact. Appellant’s work is reviewed by others and his decision-  
25 making authority is limited in that he takes issues in dispute to his supervisor for consultation and  
26 resolution. The majority of Appellant’s overall duties and responsibilities do not meet the scope or  
27 breadth envisioned at the TE 5 level.

28 The definition for TE 4 states: As a registered professional engineer, performs professional  
29 engineering work which constitutes the practice of engineering as defined by RCW 18.43, or serves  
as a Technical Program Specialist.

The distinguishing characteristics for TE 4 state, in relevant part:

As a registered professional engineer, assignments entail responsibility for functions of significant scope and complexity. Incumbents apply specialized training, broad experience, and professional judgment in analysis and decision making to resolve complex engineering problems. Work is performed independently and is reviewed for the application of sound engineering judgment. Incumbents usually serve as consultants in a specialty area having significant impact. Incumbents may be called upon regularly to act for their supervisor who is a licensed professional engineer.

Typical assignments at this level fall into one or more of the following categories:

1. . . . .
2. While reporting to a Transportation Engineer 5 or above, serves as a Headquarters final reviewer and design consultant in a complex technical area, which constitutes the practice of professional engineering.
3. While reporting to a Transportation Engineer 5 or above, serves as an expert in a specialized area of engineering.

Appellant reports to a TE 5. He works independently and uses his professional judgment in analysis and decision making for complex projects requiring the use of specialized knowledge. Appellant is assigned responsibility for complex geotechnical design efforts on a project-by-project basis. In most cases, his work is required to undergo three senior levels of review before final approval. The majority of Appellant's duties and responsibilities fit the TE 4 classification.

## **V. ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by William Hegge, is denied and the Director's determination dated March 27, 2006 is affirmed and adopted.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

WASHINGTON PERSONNEL RESOURCES BOARD

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MARSHA TADANO LONG, Vice-Chair

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LARRY GOODMAN, Member