

BEFORE THE PERSONNEL RESOURCES BOARD  
STATE OF WASHINGTON

GORDON BOWMAN,

Appellant,

vs.

DEPARTMENT OF SOCIAL AND HEALTH  
SERVICES,

Respondent.

CASE NO. R-ALLO-06-003

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

**Hearing on Exceptions.** This appeal came for hearing before the Personnel Resources Board, MARSHA TADANO LONG, Vice Chair, on Appellant's exceptions to the Director's determination dated January 3, 2006. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on August 24, 2006. LAURA ANDERSON, Chair, reviewed the record, including the file, exhibits, and the entire recorded proceedings, and participated in the decision in this matter. Subsequent to this hearing but prior to issuing this decision, the Board's titles changed. The signatures on this document reflect the Board's current titles.

**Appearances.** Appellant Gordon Bowman was present and was represented by Michael Hanbey, Attorney at Law. Department of Social and Health Services (DSHS) was represented by Pam Pelton, Human Resource Consultant.

**Background.** Appellant was allocated to the class of Recreation Specialist (RS) 4. He submitted a classification questionnaire (CQ) signed on January 7, 2005, requesting reallocation of his position to the Therapies Supervisor (TS) classification. Appellant's supervisor agreed with Appellant's description of his duties.

1 On June 7, 2005, Appellant requested reallocation by the Director of the Department of  
2 Personnel. Appellant's request to the Department of Personnel was premature because he had  
3 not received a response from DSHS. Subsequently, by letter dated July 8, 2005, DSHS denied  
4 Appellant's request for reallocation. Due to what he referred to as processing problems, the  
5 Director's designee, Paul Peterson, accepted Appellant's June 7, 2005 letter as an allocation  
6 review request.

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8 On October 29, 2005, Mr. Peterson conducted a review of Appellant's request. Mr. Peterson  
9 asked DSHS for clarification of several points raised during the review. DSHS provided  
10 clarification by email dated December 15, 2005. By letter dated December 19, 2005,  
11 Appellant's Attorney responded to the information objecting to the delay in DSHS's response  
12 and stating that he found the response contained nothing "either dispositive or even helpful" in  
13 regard to the issues before Mr. Peterson.

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15 By letter dated January 3, 2006, Mr. Peterson determined that Appellant's position was properly  
16 allocated to the RS 4 classification

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18 On January 18, 2006, Appellant filed exceptions to Mr. Peterson's determination. Appellant's  
19 exceptions are the subject of this proceeding.

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21 From November 2002 until November 2004, Appellant served in various temporary appointments  
22 including allocation to the Therapies Supervisor classification as a best fit. At the conclusion of his  
23 most recent temporary appointment, Appellant returned to his RS 4 position.

24  
25 Appellant works within the Center for Adult Services (formerly the Adult Psychiatric Unit) at  
26 Western State Hospital (WSH). Although his approved classification questionnaire makes no  
27 reference to the fact that he is assigned recreational programs, his specialty is recreation.  
28 Appellant's classification questionnaire shows that he works under the direction of the Center for  
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1 Adult Service's (CAS) director performing audits in a variety of areas of CAS. Appellant represents  
2 CAS's rehabilitation services in planning, developing and establishing guidelines, policies and  
3 procedures to monitor program compliance; develops and implements projects impacting the  
4 delivery of patient care services; develops and monitors programs used by other staff such as  
5 programs in coping skills, anger management and social skills; establishes goals for program staff;  
6 and identifies training needs. In addition, he serves as a member of the CAS interdisciplinary team  
7 for auditing and evaluating the unit's compliance with program objects, policies and standards.

8  
9 **Summary of Appellant's Arguments.** Appellant raises procedural errors in the Director's review  
10 process. Appellant alleges that Respondent provided no response during the review, but the  
11 designee allowed him an additional week to ten days in which to provide information. Appellant  
12 argues that when the designee did not receive the information from Respondent within the timeframe  
13 provided, he should have issued his decision based on the information provided during the review.  
14 Appellant acknowledges that the designee should have some discretion, but asserts that the designee  
15 should have disregarded and not included Respondent's tardy response.

16  
17 Appellant acknowledges that while he was occupying the temporary positions, he was not  
18 performing RS 4 duties. He asserts that when he returned to his RS 4 position, his duties did not  
19 change and he continued to function as a Therapies Supervisor. Appellant asserts that he is  
20 responsible for entire treatment plans for patients, not just the recreational portion of those plans,  
21 which was one of the means by which the hospital was able to meet the criteria established for  
22 certification by accreditation. Appellant argues that there were an insufficient number of Therapies  
23 Supervisors at the hospital so RS 4 incumbents were required to serve as treatment managers.  
24 Appellant contends that he continues to perform Therapies Supervisor duties and that his position  
25 should be reallocated.

26  
27 **Summary of Respondent's Arguments.** Respondent argues that while Appellant's CQ identifies  
28 duties that he performs, it neglects to make reference to the fact that he is assigned to recreational  
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1 programs. Respondent contends that Appellant is not assigned responsibility to review medical  
2 work of licensed staff, but rather he serves as a member of an interdisciplinary team that reviews  
3 treatment programs. Respondent asserts that the CQ Appellant submitted for reallocation and his  
4 CQ dated October 20, 1999 describe a number of the same duties. Respondent argues that the  
5 recreational program is part of a total therapies discipline and that Appellant is responsible for  
6 quality control of only the recreational portion of the treatment plans. Respondent contends that it is  
7 management's right to assign and configure work and that upon Appellant's return to his RS 4  
8 position, he was assigned work that fits within the RS 4 classification. Respondent argues that  
9 Appellant's position is properly allocated to the RS 4 classification.

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11 **Primary Issue.** Whether the director's determination that Appellant's position is properly allocated  
12 to the Recreation Specialist 4 classification should be affirmed.

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14 **Relevant Classifications.** Recreation Specialist 4, class code 36830; and Therapies Supervisor,  
15 class code 57400.

16  
17 **Decision of the Board.** The purpose of a position review is to determine which classification best  
18 describes the overall duties and responsibilities of a position. A position review is neither a  
19 measurement of the volume of work performed, nor an evaluation of the expertise with which that  
20 work is performed. Also, a position review is not a comparison of work performed by employees in  
21 similar positions. A position review is a comparison of the duties and responsibilities of a particular  
22 position to the available classification specification. This review results in a determination of the  
23 class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v.  
24 Washington State University, PAB Case No. 3722-A2 (1994).

25  
26 The definition for Therapies Supervisor states: "[d]irects and coordinates therapy programs in  
27 mental hospital or rehabilitation center."

1 While not allocating criteria, the typical work provides further description of the work typically  
2 performed by incumbents allocated to the Therapies Supervisor classification. In summary, a  
3 Therapies Supervisor would typically perform the breadth of work necessary to plan and administer  
4 coordinated activities and rehabilitation therapies, including occupational, physical, recreational,  
5 music and industrial therapy; develop medically approved plans and policies which meet the needs,  
6 capabilities, and interests of patients; work with staff members in coordinating therapy programs  
7 with other programs such as nursing, social work, and psychology; direct in-service training  
8 programs in activity therapies for staff and others; and supervise staff consisting of therapists and  
9 others.

10  
11 Appellant does not direct or coordinate multiple therapy programs as anticipated by the definition of  
12 the Therapies Supervisor classification. Furthermore, he does not perform the scope or breadth of  
13 work envisioned by the typical work of this class. Appellant is responsible for recreational  
14 therapies. He is not responsible for planning and administering occupational, physical, music or  
15 industrial therapies; he does not coordinate multiple therapy programs with nursing, social work or  
16 psychology programs; nor does he supervise therapists and others. Appellant's position does not fit  
17 the Therapies Supervisor classification.

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19 The definition for Recreation Specialist 4 states: "[p]lans, organizes and manages a total recreation  
20 program for an institution having a large recreation program; or in a hospital or Division of  
21 Developmental Disabilities residential facility provides consultation to unit recreation leaders,  
22 directs cross-unit recreational activities, may supervise recreational or other support staff, and is  
23 responsible for quality control of facility recreational services."

24  
25 While not allocating criteria, the typical work provides further description of the work typically  
26 performed by incumbents allocated to the Recreation Specialist 4 classification. In summary, a  
27 Recreation Specialist 4 plans, organizes, directs and coordinates recreation activities; meets with  
28 clinical and other program supervisory personnel to develop clinically approved recreation  
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1 programs; conducts training programs for recreational program personnel; and participates in  
2 planning for orientation and training of personnel from other departments.

3  
4 Appellant's position is best described by the Recreation Specialist 4 classification. He is responsible  
5 for the recreational program. He performs program duties and coordinates recreational activities as a  
6 part of the overall therapies program at WSH. While some of his duties and responsibilities, such as  
7 serving as a member of the CAS interdisciplinary audit team, appear to be outside of the RS 4  
8 classification, the majority of his work fits within this class. On a best fit basis, Appellant's position  
9 is properly allocated to the Recreational Specialist 4 classification.

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11 **ORDER**

12 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Gordon  
13 Bowman is denied and the Director's determination dated January 3, 2006 is affirmed and adopted.

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

16 WASHINGTON PERSONNEL RESOURCES BOARD

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19 MARSHA TADANO LONG, Chair

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22 LAURA ANDERSON, Member