

BEFORE THE PERSONNEL RESOURCES BOARD
STATE OF WASHINGTON

MARK POGUE and LAURA GOSHORN,

Appellants,

vs.

DEPARTMENT OF LABOR AND
INDUSTRIES,

Respondent.

CASE NOS. R-ALLO-07-017 &
R-ALLO-07-018

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

Hearing on Exceptions. These appeals came on for a consolidated hearing before the Personnel Resources Board, LAURA ANDERSON, Chair, and JOSEPH PINZONE, Member, on Appellants' exceptions to the Director's determinations dated September 14, 2007. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on January 31, 2008.

Appearances. Appellants Mark Pogue and Laura Goshorn were present and represented themselves. The Department of Labor and Industries (L&I) was represented by Sandi LaPalm, Human Resource Manager.

Background. Appellants' positions were allocated to the Information Technology Specialist 4 (ITS4) classification. On June 13, 2006, Appellants submitted position description forms to L&I's Human Resources Office asking that their positions be reallocated to the Information Technology Specialist 5 (ITS5) classification. By letters dated July 3, 2006, Terri Beck, Human Resource Consultant for L&I, denied Appellants' requests. Appellants requested a review of L&I's decisions by the director of the Department of Personnel (DOP).

The director's designee, Teresa Parsons, conducted a review of Appellants' requests for reallocation. By letter dated September 14, 2007, Ms. Parsons determined that Appellants' positions were properly allocated to the ITS4 classification.

1 On October 11, 2007, Appellants filed exceptions to the director's determination. Appellants'
2 exceptions are the subject of this proceeding.

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4 L&I is organized into two distinct functional areas: safety and claims. ITS5 positions are
5 located within the Information Services Division (ISD) of the agency and provide information
6 technology (IT) support agency wide. Appellants work in the functional area of Claims
7 Administration. Appellants' positions support indemnity payments systems including the Benefit
8 Payment System (BPS), an imaging system (LUCI), the claim and account center (CAC), and
9 LINIIS. As stated in their position description forms, the objective of Appellants' positions is to
10 manage projects to develop or enhance software for claims management. In summary,
11 Appellants manage software maintenance and apply their expert knowledge of claims
12 management business processes to perform analysis, design, troubleshooting, and problem
13 solving of existing systems. Appellants redesign workflow to solve business problems related
14 to L&I claims, advise and consult with senior management on technical solutions for problems
15 with claims processing, and supervise lower-level staff.

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17 **Summary of Appellants' Arguments.** Appellants argue that they are the experts in business
18 knowledge and in technical knowledge for the systems they support. Appellants contend that they
19 are the interface between the customer and ISD which requires them to understand customer needs
20 as well as the capabilities of the systems. Appellants compare their positions to the ITS5 positions
21 in ISD in that the ITS5 positions function as experts and specialists in technology aspects while
22 they function as the experts and specialists in the business aspects and system capabilities.
23 Appellants assert that they exercise independent judgment and decision-making authority, including
24 the authority and responsibility to give the final approval for acceptance of system changes.
25 Appellants argue that their function is critical to the State of Washington and it's injured workers
26 and that L&I erred by not conducting a thorough desk audit of their positions prior to denying their
27 reallocation requests.

1 **Summary of Respondent's Arguments.** L&I explains that Appellants' positions were placed in
2 a business unit to provide an interface between the functional area and the technical staff in
3 ISD. L&I asserts that this distinction is critical to determining the appropriate allocation of
4 positions to the ITS classes. L&I asserts that this organizational structure allows IT staff within
5 ISD to focus on the most complex, highly technical IT functions. L&I contends that Appellants
6 provide the interface between the functional area and ISD and that they use their knowledge and
7 understanding of both areas to provide support to their functional areas. However, L&I explains
8 that the ISD staff are responsible for making the technical changes to the systems. L&I further
9 explains that Appellants perform duties at the front-end and the back-end of the change process,
10 such as identifying and analyzing problems and then conducting the final testing, validating and
11 acceptance of the changes, while ISD staff perform the technical, complex work in the middle
12 of the change process, such as designing, coding, recoding and testing changes to the systems.
13 L&I acknowledges that Appellants' perform important jobs and that they work very hard. While
14 L&I recognizes the importance of Appellants' contributions, they argue that their duties and
15 responsibilities do not have the breadth of impact or the required the level of technical expertise
16 necessary for allocation to ITS5 level.

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18 **Primary Issue.** Whether the director's determinations that Appellants' positions are properly
19 allocated to the ITS4 classification should be affirmed.

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21 **Relevant Classifications.** Information Technology Specialist 4 classification, class code 479L, and
22 Information Technology Specialist 5, class code 479M.

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

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4 Appellants are valuable employees providing a critical service to their functional areas and to L&I.
5 In addition, it appears that Appellants are capable of performing duties beyond those described in
6 their position description forms. However, in determining the proper allocation of a position, we
7 must consider the duties and responsibilities assigned to the position, not the capabilities or
8 expertise of the incumbent in the position.

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10 The position description serves the same purpose as the former classification questionnaire.
11 Both the Personnel Appeals Board and the Personnel Resources Board have held that because a
12 current and accurate description of a position's duties and responsibilities is documented in an
13 approved classification questionnaire, the classification questionnaire becomes the basis for
14 allocation of a position. An allocation determination must be based on the overall duties and
15 responsibilities as documented in the classification questionnaire. Lawrence v. Dept of Social
16 and Health Services, PAB No. ALLO-99-0027 (2000).

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18 Appellants do not perform highly-complex tasks with the breadth of impact envisioned by the
19 ITS5 classification. While Appellants' work impacts all employers and recipients of certain
20 benefits, their work does not impact L&I on an organization-wide level. For example,
21 Appellants do not conduct capacity planning to determine organization-wide needs; design
22 complex agency-wide enterprise systems crossing multiple networks, platforms or
23 telecommunication environments; or identify and resolve operational problems for major high
24 risk systems with centralized, organization-wide functions. While Appellants provide leadership
25 and expert consultation in their assigned areas, they do not perform these functions for large-
26 scale projects or enterprise systems involving organization-wide information technology
27 functions. Duties performed at an organization-wide level would potentially impact all business
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1 areas within an agency. Appellants' work impacts Claims Administration; their work does not
2 impact all of L&I's business areas.

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4 Appellants' position description forms describe duties and responsibilities found in the
5 distinguishing characteristics of the ITS4 classification. For example, Appellants function as
6 senior-level specialists and perform problem and system analysis, assist in system design,
7 acquisition, and system maintenance functions, and perform quality assurance, troubleshooting,
8 problem resolution, and consulting tasks for complex computing systems. They are specialists
9 in their assigned areas of responsibility, apply advanced technical and business knowledge, and
10 exercise considerable discretion to evaluate and resolve complex tasks. In addition, they
11 facilitate the installation of system resolutions and application interfaces; develop and
12 implement quality assurance testing and performance monitoring; and act as liaisons on the
13 development of applications. Appellants understand customers' business needs and are
14 conversant in customers' business language. They work on projects that impact multiple
15 business units with multiple functions and that have wide-area impact, integrate new
16 technology, and affect how the mission is accomplished. In addition, they supervise lower level
17 staff as encompassed by the ITS4 classification.

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19 In a hearing on exceptions, the Appellant has the burden of proof. WAC 357-52-110. Appellants
20 have failed to meet their burden of proof. Appellants' positions are properly allocated to the
21 Information Technology Specialist 4 classification.

22 **ORDER**

23 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeals on exceptions by Mark Pogue
24 and Laura Goshorn are denied, and the Director's determinations dated September 14, 2007 are
25 affirmed and adopted.

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27 DATED this ____ day of _____, 2008.

28 **WASHINGTON PERSONNEL RESOURCES BOARD**

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LAURA ANDERSON, Chair

JOSEPH PINZONE, Member