BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

KYLE MANNING, Appellant, vs. WASHINGTON STATE PARKS AND RECREATION COMMISSION, Respondent.	CASE NO. R-ALLO-10-014 ORDER OF THE BOARD FOLLOWING HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This appeal came before the Personnel Resources Board, DJ MARK, Vice Chair, and JOSEPH PINZONE, Member, for a hearing on Appellant's exceptions to the director's determination dated November 1, 2010. The hearing was held at the office of the Personnel Resources Board in Olympia, Washington, on February 2, 2011.

Appearances. Appellant Kyle Manning was present and represented himself. Parks and Recreation Commission (Parks) was represented by Jose Vidales and George Price, Human Resource Consultants.

Background. Appellant's position was allocated to the class of Construction and Maintenance Project Specialist (CMPS). On April 1, 2009, he submitted a classification questionnaire (CQ) to Parks' human resource office requesting reallocation to the Construction and Maintenance Project Lead (CMPL) classification.

By letter dated December 29, 2009, Jose Vidales, Human Resource Consultant for Parks, notified Appellant that his request was denied. On February 2, 2010, Appellant requested a director's review of Mr. Vidales' decision. By letter dated November 1, 2010, the director's designee denied Appellant's request for reallocation.

On December 1, 2010, Appellant filed exceptions to the director's determination. Appellant's exceptions are the subject of this proceeding.

Appellant works in a level 3 Park Area. He performs a variety of construction and maintenance duties and responsibility. For example, Appellant maintains domestic water and irrigation systems including water lines, pumps, valves, a chlorine injection system, and a septic system. His work includes projects such as renovating the pump house which required electrical, carpentry, and masonry work on the building and which he accomplished with the assistance of other staff. In his CQ, Appellant indicated that 25% of his work is devoted to the water systems. Appellant is also responsible for construction and maintenance of trails and roadways in the park area. His duties include removal of rock slides, trees, and obstructions, clearing waterways, creating ditches, working on culverts, and filling surface depressions. He operates and maintains the equipment and vehicles used in the construction and maintenance of trails and roads such as a backhoe, dump truck, tractor, and lowboy trailer, as well as light pickups, ¾ ton and 1-ton trucks, tractors, and Gator. In his CQ, Appellant indicated that 20% of his work entailed facility maintenance and construction and that 25% of his work involved the operation and repair of vehicles and equipment. The remaining 30% of his work includes electrical work, administrative tasks, and working as a project lead.

Summary of Appellant's Arguments. Appellant argues that his position fits within the definition of the CMPL class because he plans, coordinates and organizes construction and maintenance projects and performs multi-skilled journey level work in plant maintenance. Appellant acknowledges that this is not the majority of his work but contends that the percentage of time that work is performed is not addressed in the class specification. Appellant asserts that other positions at Parks are allocated to the CMPL class yet they are not assigned lead responsibilities. Therefore, based on his responsibilities for project planning, and his work in plant maintenance, Appellant contends that his position should be reallocated to the CMPL level.

Summary of Respondent's Arguments. Parks argues that planning, coordinating, and organizing projects and leading and directing work crews are responsibilities found in CMPS level. Parks asserts that to be allocated to the CMPL level, the incumbent must lead two or more journey level trades employees. Parks contends that Appellant is not responsible for the complexity of projects that require him to regularly lead two or more journey level trades employees. Parks acknowledges that Appellant occasionally oversees and directs work crews comprised of park rangers, park aides, and volunteers, but argues that these crew members are not journey level trades employees as required for allocation to the CMPL class. Parks argues that majority of Appellant's work and his level of responsibility are encompassed in the CMPS classification.

Primary Issue. Whether the director's determination that Appellant's position is properly allocated to the Construction and Maintenance Project Specialist classification should be affirmed.

Relevant Classifications. Construction and Maintenance Project Specialist, class code 627E, and Construction and Maintenance Project Lead, class code 627F.

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).

Most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the

majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007). (Emphasis added).

In Byrnes v. Dept's of Personnel and Corrections, PRB No. R-ALLO-06-005 (2006), the Personnel Resources 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 allocation of a position." Citing to Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996). Therefore, the allocation or misallocation of other CMPL positions at Parks is not a determining factor in the appropriate allocation of Appellant's position.

The following standards, in descending order, are the primary considerations in allocating positions:

- Class series concept (if one exists).
- Definition or basic function of the class.
- Distinguishing characteristics of a class.
- Class series concept, definition/basic function, and distinguishing characteristics of other classes in the series in question.

While not allocating criteria, the typical work statements of a class lend support and provide clarification of the type and a scope of work encompassed in a class.

There is no dispute that Appellant's position fits within the Construction and Maintenance Project class series. The question is which level best describes the majority of his assigned work and level of responsibilities.

The definition for Construction and Maintenance Project Lead provides, in relevant part: "[w]ithin a park area, plans, coordinates and organizes construction and maintenance projects and leads two or more journey level trades employees; performs multi-skilled journey level work in plant maintenance."

An employee who is assigned lead duties typically performs the same or similar duties as other employees in his/her work group and has the designated responsibility to regularly assign, instruct, and check the work of those employees on an ongoing basis. At the CMPL level, projects typically include lead responsibility for two or more journey level trades workers. Appellant leads non-journey level project teams consisting of park aides and seasonal workers, park rangers, and volunteers. Further, in his CQ, Appellant indicates that only 5% of his time involves project lead duties. Appellant does not regularly lead project teams consisting of two or more journey level trades employees on an ongoing basis.

Appellant performs multi-skilled journey level work in plant maintenance, but this does not constitute a majority of his work. He also oversees construction and maintenance projects as described at the CMPS level which inherently includes planning, coordinating, and organizing activities. Appellant's duties and responsibilities do not rise to the CMPL level.

The majority of Appellant's duties and responsibilities fit within the definition and distinguishing characteristics of CMPS class. In addition, he performs the level of work described in the typical work statements for the class. He performs construction, maintenance, and repair on facilities and equipment, and buildings, and on mechanical and electrical systems. He performs work and leads or directs work crews and acts as the on-site coordinator in the construction and repair of buildings, roads, trails, facilities, domestic and irrigation water pump systems, and a septic system.

In a hearing on exceptions, the Appellant has the burden of proof. WAC 357-52-110. Appellant has failed to meet his burden of proof.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions is denied and the director's determinations dated November 1, 2010, is affirmed.

DATED this _____ day of _____, 2011.

WASHINGTON PERSONNEL RESOURCES BOARD

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DJ MARK, Vice Chair

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JOSEPH PINZONE, Member