BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

EVERETT COMMUNITY COLLEGE, Appellant, vs. ARLENE CAHOON, Respondent	CASE NO. R-ALLO-19-002 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, NANCY HOLLAND YOUNG, Chair, and SUSAN MILLER, Member, for a hearing on Appellant's exceptions to the Director's Determination letter dated January 3, 2019. The hearing was held on March 12, 2019, at Room 110, Capitol Court, 1110 Capitol Way, in Olympia, Washington.

Appearances. Appellant Everett Community College (EvCC), represented by Linda Nichols, HR Director and Denise Wyatt, VP of Administrative Services. Respondent Arlene Cahoon was present and represented by Teresa Parsons Classification and Compensation Specialist, Washington Federation of State Employees (WFSE).

Background. On January 26, 2018, Respondent submitted a Position Review Request to EvCC Human Resources (HR) Office requesting reallocation from a Program Manager A to a Program Specialist 3 (PS3). By memorandum dated April 11, 2018, Linda Nichols, EvCC HR, notified Respondent that her position was being reallocated to Program Manager B effective January 26, 2018.

On May 10, 2018, Office of Financial Management, State Human Resources (OFM-SHR) received a Request for Director's Review from Respondent.

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The Director's Review Specialist conducted a review of Appellant's position determination based on written documentation. By letter dated January 3, 2019, the Director's Review Specialist determined the most appropriate allocation for Respondent's position was the Program Specialist 4 classification.

On January 22, 2019, Appellant filed timely exceptions to the Director's Determination.

As summarized by the Director's Review Specialist, Respondent works for EvCC and is located in the Veterans' Resource Center of the Instruction and Student Services Department. Respondent's position is responsible for implementing and adhering to all federal and state laws regarding educational benefits of active duty military, veterans of the armed forces, and their dependents. The Respondent possesses a thorough knowledge of changing legislation affecting active duty military and veteran educational benefits. Respondent is responsible for budget authority for the Veterans' Resource Center. Additionally, Respondent plays a key liaison role in providing support to students applying for benefits, verifying accuracy and completeness of paperwork submitted to the Veterans Administration.

Summary of Appellant's Arguments. Appellant asserts some of the Respondent's work duties fall within the Program Specialist 2, Program Specialist 3 and Program Manager A classifications. The Appellant agrees Respondent performs duties independently and under administrative direction. Appellant argued the Position Description was included for the Director's Review Specialist and was not considered in the position review. Appellant agrees the Respondent has designated budget authority for two small budgets used for staff training and center events.

Summary of Respondent's Arguments. Respondent asserts the Position Review Request signed and endorsed by the supervisor and Executive Director holds substantial weight on duties assigned and performed by the Respondent. Respondent agrees duties overlap the Program Specialist series

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and Program Manager A classifications. Respondent points to the administrative direction level of supervision, in addition to the level of oversight and reconciliation of over one million dollars of veteran benefits funding.

Primary Issue. Whether the Director's Determination should be affirmed and whether Respondent should remain allocated to the Program Specialist 4 classification.

Relevant Classifications. Program Specialist 2 (PS2), Program Specialist 3 (PS3); Program Specialist 4 (PS4), Program Manager A (PMA), and Program Manager B (PMB).

Definition of PS 2

Class Series Concept

> Positions in this series coordinate discrete, specialized programs consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Positions coordinate program services and resources; act as a program liaison and provide consultation to program participants and outside entities regarding functions of the program; interpret, review and apply program specific policies, procedures and regulations; assess program needs; and develop courses of action to carry out program activities. Program coordination also requires performance of tasks and application of knowledge unique to the program and not transferable or applicable to other areas of the organization.
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> Examples of program areas may include, but are not limited to: business enterprises, fund raising, volunteer services, community resources, election administration and certification, juvenile delinquency prevention, recreational education and safety, energy education, aeronautic operations and safety, student housing, financial aid, and registration.

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Positions at this level work under general supervision and plan, organize, direct and coordinate operations for programs such as the business enterprise, volunteer services, community resources and elections examination/administration programs. Incumbents oversee day-to-day program operations, function as the program representative and resource, have extensive contact with program participants and outside entities, and resolve problems within a delegated area of authority. Unusual problems, probable outcomes and solutions are presented to higher levels for resolution. Incumbents may be delegated limited authority to approve budget expenditures and may assist higher-level staff with developing and coordinating statewide program activities.

Definition of PS 3

Positions at this level work under general direction and typically have organization-wide program responsibility. For programs with statewide impact, incumbents are specialists who manage one component or assist higher levels in two or more components of the program. Programs include but are not limited to voter registration programs; boating, concession, or winter recreation programs; minority and women's business enterprise programs; and aeronautics programs. Program components are comprised of specialized tasks (e.g., reservations, administration, and budget coordination) within a specialty program. Incumbents assist higher-level staff by coordinating all aspects of program services, providing technical assistance and specialized, consultation to program participants, staff and outside entities, and recommending resolution for complex problems and issues related to the program. Incumbents assess program participants' needs and develop specialized services and training unique to the program and are responsive to the needs of participants.

Definition of PS 4

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> Positions at this level work under administrative direction, have organization-wide program management responsibilities and are recognized as program specialists. For programs with statewide impact, incumbents are specialists who manage two or more components of the program. Incumbents administer, oversee, and direct all program activities and advise public entities and higher level administrative staff on the program components. Program components are comprised of specialized tasks (e.g., reservations, administration, and budget coordination) within a specialty program. Incumbents provide and coordinate program activities affecting an essential service within the organization or activities with statewide impact. Incumbents perform a wide scope of complex duties and responsibilities in the management of a program, exercise independent judgment and have delegated decision-making authority. Programs include but are not limited to, salmon, marine and shellfish enhancement programs; boating, concession, or winter recreation programs; missing children's clearinghouse; and fund-raising programs which include prospect identification, endowment campaigns, annual funds, direct mail marketing and membership development.

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)).

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Allocating criteria consists of the class specification's class series concept (if one exists), the definition and the distinguishing characteristics. [1] Typical work is not an allocating criterion, but may be used to better understand the definition or distinguishing characteristics. (See *Kristin Mansfield vs. Department of Fish and Wildlife,* PRB Case No. R-ALLO-11-014 (2011)).

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

a) Category concept (if one exists).
b) Definition or basic function of the class.
c) Distinguishing characteristics of a class.

- Class series concept, definition/basic function, and distinguishing characteristics of other classes in the series in question. [2]

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. (See *Dudley v. Dept. of Labor and Industries,* PRB Case No. R-ALLO-07-007 (2007)).

This hearing was scheduled for consideration of exceptions filed with Board. The Board carefully reviewed the documentation submitted during the Director's Review and the arguments presented by the parties at the hearing.

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[1] [1](See *Norton-Nader v. Western Washington University,* PRB Case No. R-ALLO-08-020 (2008))
[2] [1](See *Norton-Nader v. Western Washington University,* PRB Case No. R-ALLO-08-020 (2008))

The Board found the Appellant agrees the duties of the Respondent had changed from her employment date, 1979 to present, and recognized this fact by reviewing the classification of the Respondent, concluding the position duties fit the Program Manager B classification.

The Board agrees with Appellant that Respondent's duties and responsibilities have changed. However, the Board disagrees with the classification of Program Manager B, because Respondent administers duties independently under administrative direction.

The Board found pursuant to *Norton-Nader v. Western Washington University* the hierarchy of allocating criteria begins with the class series concept, (should one exist), followed by the class definition and then the distinguishing characteristics of the relevant classifications. The definitions of both the PS 2 and PS 3 provide a clear listing of information to assist in allocating to either of the classes. The PS2 classification stipulates, "Under general supervision, plan(s), organize(s), direct(s) and coordinate(s) operations." The PS3 classification states, "under general direction and typically have organization-wide program responsibility." However, the PS4 definition outline(s) incumbents work under administrative direction.

Appellant acknowledges Respondent is a designated supervisor of student employees and lead for two classified employees, in addition to the designation of supervisor for timekeeping purposes. Respondent has budget authority for two comparatively small budgets, totaling no more than $8,000 annually. Appellant states the vast majority of Veterans' Resource Center budget is disbursed from College operating funds and not the responsibility of Respondent. The Board finds the dollar amount of budget authority is unimportant in this matter, but rather the fact that budget authority responsibility is met.

Furthermore, the Board finds Respondent provides and coordinates program activities affecting an essential service within EvCC and has budget responsibility for two separate funding sources, one from the federal government and one from the EvCC Foundation.

Additionally, Respondent works under administrative direction, has organization-wide program management responsibilities to include veteran benefit services and is recognized as a program specialist. Respondent must continue to understand and interpret the complex federal and state regulation changes and the impacts these changes have to providing in exemplary customer service management of the program, exercise independent judgment, and have delegated decision-making authority of veteran benefit services to active duty service members, honorably discharged service members and supporting family members of fallen service members. Therefore, the Board affirms the classification of Program Specialist 4.

In a hearing on exceptions, the Appellant has the burden of proof (WAC 357-52-110). Appellant has not met the burden of proof.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED the appeal on exceptions by Everett Community College is denied and Respondent's position remains allocated to Program Specialist 4.

DATED this 30th day of April, 2019.

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Nancy Holland Young

NANCY HOLLAND YOUNG, Chair

Susan L. Miller

SUSAN MILLER, Member

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