

December 26, 2006

RE: Cherie Biviano v. Department of Corrections
Allocation Review Request 06AL0067

Dear Ms. Biviano:

On September 28, 2006, I conducted a Director's review telephone conference with you and Lois Bergstrom, Human Resources Manager at Airway Heights Corrections Center. The purpose of the conference call was to discuss your request for a review of your position's allocation.

Background

On October 14, 2005, you submitted a Classification Questionnaire (CQ) to the Human Resources Office at Airway Heights Corrections Center, requesting that your Office Assistant 3 position, #3149, be reallocated to a higher classification in either the Administrative Assistant or Human Resources Consultant class series. By letter dated January 26, 2006, Ms. Bergstrom notified you that your position was reallocated to the Administrative Assistant 1 (AA 1) classification. Ms. Bergstrom concluded your duties best fit the AA 1 classification because your professional-level supervisor has delegated duties to you, which include responsibilities for the correctional officer and correctional sergeant selection processes.

Additionally, Ms. Bergstrom noted that your position is in the Captain's chain of command and directly related to the roster management system. Specifically, Ms. Bergstrom determined you perform data entry into the roster management system daily, which is an essential function of your job, and copy and distribute shift rosters as well. Since the AA 1 level allows for the assignment of some clerical work (25%), Ms. Bergstrom believed your duties best fit the AA 1 classification. She did not believe your duties matched the Human Resources Consultant series because the human resources activity you perform is not a majority of your work.

The following summarizes your perspective as well as your employer's:

Summary of Ms. Biviano's Perspective

Ms. Biviano asserts her position is unique because there are a limited number of Roster Assistants throughout the state, and she contends each position is delegated different duties based on the level of custody staff. Ms. Biviano asserts she does all of the pre-scheduling for the institution, contacts sergeants and lieutenants, and distributes rosters to unit timekeepers. Additionally, Ms. Biviano states she reviews shift summaries for accuracy of hours and pay, spends several hours calling correctional staff to offer overtime, and coordinates with the Captain's secretary. Ms. Biviano describes the pre-scheduling process as time consuming and complex because she has to consider items like seniority, mandated overtime, and union regulations.

In addition, Ms. Biviano asserts she coordinates the hiring process, which includes setting up applicants for a Physical Abilities Test (PAT), scheduling interviews, scheduling a conference room, and coordinating tours. She states she also coordinates candidate files, conducts round tables, and occasionally sits on interview panels. Ms. Biviano contends she is the point of contact for individuals requesting job information and states she represents the institution at job fairs in the community. Ms. Biviano asserts she is the back-up for her supervisor, the Roster Manager, who she contends has delegated the hiring responsibilities to her. Therefore, Ms. Biviano believes her position should be allocated to a higher-level Administrative Assistant (AA 4) or Human Resources Consultant classification.

Summary of the Department of Corrections' (DOC's) Reasoning

DOC agrees with Ms. Biviano's characterization of her duties and responsibilities and acknowledges that her supervisor has delegated hiring responsibilities to her. However, DOC asserts the Roster Manager position Ms. Biviano reports to is a Corrections Specialist 3, not a position that is the head of a state agency or major sub-division. Consequently, DOC contends she does not meet the definition of the Administrative Assistant 4 classification. In reviewing the Administrative Assistant series, DOC notes the Administrative Assistant 1 level is the only position within the series that performs some clerical related duties. DOC considers Ms. Biviano's daily tasks of performing data entry into the roster management system and copying and distributing shift rosters an essential portion of her job, which DOC asserts is clerical in nature.

DOC acknowledges that Ms. Biviano's position meets the reporting relationship at the Administrative Assistant 2 level but contends the clerical duties she receives from others are substantial enough to better fit the AA 1 level. DOC asserts that less than 51% of Ms. Biviano's duties involves the hiring process of correctional officers and asserts the percentage is not enough to qualify her for the Human Resources classifications. While DOC acknowledges Ms. Biviano's position has a very important role in contributing to the institution's success and that she does an excellent job, the agency believes the Administrative Assistant 1 classification best describes her assigned duties.

Director's Determination

This position review was based on the work performed for the six-month period prior to October 14, 2005.

As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review meeting, and the verbal explanations provided by both parties. Based on my review and analysis of your assigned duties and responsibilities, I conclude your position is properly allocated to the Administrative Assistant 1 classification.

Rationale for Determination

In reviewing the CQ you submitted for reallocation (Exhibit A), the overall description of your duties indicates the following:

- Provide support to the Roster Manager in scheduling and hiring of custody staff.
- Review shift rosters, summaries, and Atlas entries.
- Create Atlas entries to ensure all three shift rosters are accurate.
- Track custody staff placement and leave usage, schedule intermittent officers, pre-schedule overtime, assist the hiring process, create monthly reports, and manage the roster orientation for new hires.

When comparing the above CQ to the previous CQ (Exhibit C), many of the overall functions are the same. For example, the CQ signed by the incumbent in September 2004 includes scheduling and hiring of custody staff, tracking custody staff placement and leave usage, scheduling intermittent officers, pre-scheduling overtime, assisting in the hiring process, and managing the roster orientation of new hires. The primary difference on the newer CQ is the omission of the words "clerical support."

As Ms. Bergstrom's notes from the desk audit indicate, the duties assigned to your position have gradually increased and your supervisor has fully delegated you the tasks and responsibilities associated with hiring correctional staff (Exhibits F, G, & H). The desk audit also indicates an increase in duties related to the "Atlas" roster management system. You work independently, prioritize, problem-solve, and fill in for your supervisor in her absence.

Based on the desk audit with you and your supervisor, Ms. Bergstrom made some notations on your CQ that illustrate the changes in your work (Exhibit B). On the first page, in the section identified as 35% relating to the hiring process, she indicated those duties were fully delegated to you by your supervisor. A portion of the duties in that section were also identified on the previous CQ as 20%, which supports Ms. Bergstrom's notation that the duties increased by 15%. Other delegated responsibilities relate to the

weekly intermittent schedules and pre-scheduled overtime, identified as 5% on page two of your CQ. Other increased responsibilities include making corrections to shift summaries, rosters, and Atlas entries when necessary and working with your supervisor to assess related problems and develop solutions.

The increase in delegation of duties and responsibilities to your position warrants reallocation to the Administrative Assistant series and meets the distinguishing characteristics which note the "work is not clerical or secretarial as stated in those class specifications." At the same time, the AA 1 class specification acknowledges that positions at that level "may be assigned some clerical . . . duties not to exceed 25% of the total work." Because one of the primary, essential functions of your position is to perform data entry into the Atlas system on a daily basis, as described in the desk audit notes, a regular component of your work includes this clerical task, as well as the regular copying and distributing of rosters. This is also supported by the overview of your duties described in the first paragraph of your CQ: "[c]reate Atlas entries to ensure all three shift rosters are accurate . . ."

I realize that your duties also encompass reviewing shift roster summaries and Atlas entries completed by the Shift Lieutenants and making corrections as needed. Those higher-level duties, along with your other delegated duties, fit the definition of the Administrative Assistant 1 classification which states, in part, "performs technical work which is directly delegated from a professional position." The position is further distinguished by "a professional position fully delegating a technical portion of the position's duties, which in turn encompasses the majority of the Administrative Assistant's work . . ." Your work reviewing and correcting the Atlas entries is also similar to the description of the following distinguishing characteristic:

- (a) reviewing the work of professional staff for completeness, to assure that input-output is in compliance with laws, rules, policies, procedures and standards;

The definition of the Administrative Assistant 2 classification states, "[p]rovide administrative and staff support services for a section or unit with delegated authority to act in supervisor's absence in areas of substance." Although a portion of your duties meets this definition, as well as the distinguishing characteristics related to the delegation of duties, the majority of your work better fits the Administrative Assistant 1 class because your position also retained some clerical aspects. The data entry and distribution of roster management report functions further support your regularly assigned clerical duties. Because the AA 1 level allows for the assignment of some clerical work and the other AA levels do not, this class best fits your description of work.

Your assigned duties and responsibilities do not meet the definitions at the Administrative Assistant 3 and 4 levels because you do not support a second level supervisor or the head of a state agency or major sub-division. Further, while a

component of your work relates to the hiring and screening process of correctional officers and sergeants, your primary functions involve roster management, not human resources activities.

It is evident from your supervisor's comments, as well as Ms. Bergstrom's indication you perform excellent work, that you are a valuable asset to the institution and play a critical role in ensuring operations run smoothly. Nevertheless, a position review is limited to a comparison of assigned duties and responsibilities to the available job classifications. Therefore, the Administrative Assistant 1 classification best describes your position # 3149.

Appeal Rights

WAC 357-49-018 provides that either party may appeal the results of the Director's review to the Personnel Resources Board (board) by filing written exceptions to the Director's determination in accordance with Chapter 357-52 WAC.

WAC 357-52-015 states that an appeal must be received in writing at the office of the board within thirty (30) calendar days after service of the Director's determination. The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

Sincerely,

Teresa Parsons
Director's Review Supervisor

c: Lois Bergstrom, DOC
Lisa Skriletz, DOP

Enclosure: List of Exhibits