

April 25, 2007

RE: Geoffrey Schmid v. Department of Labor and Industries (LNI)
Allocation Review No. 06AL0095

Dear Mr. Schmid:

The Director's review of LNI's allocation determination of your position has been completed. The review was based on the written documentation and on information provided during the April 12, 2007, telephone conference held with you and Sandi LaPalm, HR Representative for LNI.

Background

By letter dated February 27, 2006, you requested a desk audit of your position. Prior to this date, you had verbally discussed reallocation of your position with various persons at LNI, but you did not submit a formal request until February 2006. (Exhibit 1b).

LNI conducted a review of your position. LNI determined that the former position description for your position was out of date. Therefore, during the review process you completed and signed an updated position description form on April 10, 2006. (Exhibit 3). While your supervisor signed the PDF, she also attached an addendum noting discrepancies in your description of your work. The April 10, 2006, PDF was used by LNI to review the allocation of your position and was used during this review to determine the proper allocation of your position.

Based on the information in the PDF and information gathered from your supervisor, by letter dated May 18, 2006, LNI determined that your position was properly allocated to the Administrative Assistant 3 classification. (Exhibit 1c). During the April 12, 2007 telephone conference, Ms. LaPalm indicated that she searched the Department of Personnel Classification Plan but was unable to find a classification that completely encompassed your position; therefore, her decision was made on a best fit basis.

Ms. LaPalm determined that your position was properly allocated to the Administrative Assistant 3 classification. You felt that your position should be reallocated to either the Management Analyst 2 or 3 classification.

On June 27, 2006, you filed a request for a Director's review. (Exhibit 1). You asked that the timelines be waived because you had not previously seen the revised position description for your position. LNI did not object to the timeliness of your request.

Summary of Mr. Schmid's Perspective

You explained that your position handles fraud referrals made to Region 2 of LNI. You do this by receiving the complaint or referral, searching the data base for any history related to the company or the complaint, tracking the complaint, forwarding the matter to the appropriate program in the region, and closing the loop with the referent. After you forward the matter to the appropriate program, the matter is assigned to a fraud investigator/auditor.

You developed the fraud referral system and continue to update the process so that the program staff has the information they need to do a better job. You clarify information with referents; prioritize referrals i.e., referrals in which safety is an issue would be given a high priority; research information in the data base on companies who are the subject of the referral; contact the referent if more information is needed in order to forward the matter to the program staff; provide information to program staff and assist them in the coordination of program information; monitor laws to assist in prioritizing referrals; and recommend changes in the process such as creating a form to assist the contract compliance staff in providing the auditors with the information they need.

You do not believe that the Administrative Assistant 3 classification reflects the duties and responsibilities of your position, such as the level of analysis and the depth of knowledge of LNI programs required for your position, the extent of the coordination and reporting that you do, or the creation and modification of the regional referral system that you perform.

Summary of LNI's reasoning

In determining the proper allocation of Mr. Schmid's position, LNI considered various job classifications but they found that Mr. Schmid's position was unique and not totally encompassed by any one classification. LNI concluded that the Administrative Assistant 3 classification was the most appropriate, in part, because the purpose of Mr. Schmid's position was to remove administrative responsibility for the referral process from his supervisor and to provide a smooth mechanism to share information received from the field with the program staff. LNI describes Mr. Schmid's position as performing an internal coordination function in that he is the information "hub" for reporting information, looking up information in the system, and making referrals to the appropriate LNI program.

LNI determined that Mr. Schmid functioned as the coordinator of the regional referral process, which involved providing information and referral services to ensure that information for internal and external customers was properly addressed, gathering information from a variety of sources and referring the information to the appropriate individuals and/or program in the regional office, determining the impacts of referrals, and communicating with the referent to report on outcomes. LNI concluded that a majority of Mr. Schmid's time was spent overseeing the day-to-day unit

operations for purposes of referring information and/or concerns to the appropriate program area and that these duties and responsibilities best fit within the Administrative Assistant 3 classification.

During the telephone conference, LNI stated that as more classifications become available, they will consider other classifications that may better encompass Mr. Schmid's work but that at the time of his request for reallocation, the Administrative Assistant 3 provided the best fit of the available classifications.

Director's Determination

As the Director's designee, I carefully reviewed all of the documentation in the file including your letter requesting a review of LNI's determination, the duties and responsibilities described in the April 10, 2006 position description and the information you and LNI provided during the telephone conference. Based on my review of the documents, the available classifications, and my analysis of your assigned duties and responsibilities, I conclude that your position is best described by the Administrative Assistant 3 classification.

Rationale for Determination

As indicated in your PDF and confirmed during the telephone conference, you work under limited supervision and exercise independent judgment to receive information and provide referral services to internal and external customers. You assess information received from a variety of sources and refer that information to individuals and/or Region 2 program staff. You devise processes and consult with others to develop solutions and resolve problems with the referral process and procedures in order to provide more efficient processing and sharing of information. You facilitate meetings to improve communication, resolve problems and facilitate better coordination of information between program staff. You make recommendations and modifications to the referral process and prepare regional referral reports.

The Category Concept for the Management Analysis and Consultation Occupational Category states:

Positions in this series analyze management problems, provide consultation, develop strategies, conduct research, formulate recommendations, and coordinate implementation of strategic and long-range planning activities in areas such as business and organizational planning, budgeting, operations, policy issues, and proposed legislation. Incumbents develop and implement processes for monitoring and measuring outcomes of activities.

Your position does not fit the category concept for the Management Analysis and Consultation Occupational Category. You do not analyze management problems as intended by this category; rather you analyze problems regarding the referral and information sharing process. The research you perform is limited in scope to information dealing with referrals. You do not make recommendations on management problems; rather you make recommendations for a more efficient referral process and sharing of information in regard to referrals. You are not involved in LNI's strategic planning process or in the long-range planning activities. You do develop and implement processes for monitoring and measuring the intake of complaints and referral of complaints and information to the program staff. However, you do not develop and implement

processes for monitoring and measuring management activities; rather you track information and produce reports regarding the number of referrals and outcomes for Region 2.

Allocation determinations are based primarily on the Distinguishing Characteristics of a classification.

The Distinguishing Characteristics for the Management Analyst 2 classification state:

Positions at this level work under the direction of a higher-level analyst to design, direct, and conduct specialized, complex interdisciplinary projects and data studies related to a variety of issues involving multiple internal or external organizations. Incumbents independently resolve routine issues and problems and refer unusual problems to higher levels identifying probable outcomes and solutions.

Your position does not meet the distinguishing characteristics for the Management Analyst 2 classification. You do not work under a higher-level management analyst. You do not design, direct or conduct interdisciplinary projects or data studies. Rather, your work is limited in scope to the intake and referral process. The problems and issues you resolve are best described as improvements to the process of providing and collecting information for use by others rather than resolving routine problems and issues related to interdisciplinary projects and data studies.

The Distinguishing Characteristics for the Management Analyst 3 classification state:

Positions at this level work under limited supervision, exercise independent judgment, and are responsible for conducting complex, multi-dimensional research and analysis, formulating recommendations, and coordinating implementation and ongoing evaluation of programs and strategic and long-range planning activities. Incumbents provide consultation to management, resolve complex management problems, and function as a specialist and/or lead for projects impacting multiple programs, departments, and/or jurisdictions.

You work under limited supervision and exercise independent judgment in regard to the intake and referral process, but you are not responsible for conducting complex, multi-dimensional research and analysis, formulating recommendations, and coordinating implementation and ongoing evaluation of programs and strategic and long-range planning activities programs. You provide consultation to management and resolve problems; however, your responsibility is limited in scope to the intake and referral process. You are a specialist in the intake and referral process which feeds into the various Region 2 programs but you are not a specialist for projects impacting multiple programs, departments, and/or jurisdictions.

Your position does not fit within the Management Analysis and Consultation category concept and your assigned duties and responsibilities do not encompass the breadth or scope envisioned by the classifications in the category. Therefore, your position should not be allocated to this category.

The Definition for the Administrative Assistant 3 classification states, “[p]rovides administrative staff support to a second level supervisor.”

The focus of your position is the intake and coordination of referrals made to Region 2 of LNI. Your supervisor is the Regional Program Manager and this task is within her scope of authority. You support your supervisor by relieving her of the administrative responsibility for the intake and referral process. Your position fits within the definition for the Administrative Assistant 3 classification.

Distinguishing Characteristics for the Administrative Assistant 3 classification state:

These positions may be distinguished from lower level positions by a reporting relationship to a supervisor at the second level of professional supervision, i.e., a supervisor of supervisors (or higher) and the delegation of full responsibility for one or more of the major activities under that supervisor. Only one Administrative Assistant 3 will be allocated to an individual second supervisor. Work is reviewed only for conformance with department goals and policies. The principal assistant to their superior.

Your position fits within the Distinguishing Characteristics of the Administrative Assistant 3 classification. You have full responsibility for the intake and referral process which, as stated above, is an activity under your supervisor's scope of authority. You work independently to formulate, coordinate, make recommendations, track referrals, and report on the administrative activities related to the intake of complaints and the referrals made to the various programs within Region 2. As stated in your PDF, these programs include Audit, Collections, Investigations, WISHA and Specialty Compliance. You also collect information and report on the outcomes of the referrals. Your position has contact with LNI staff and clients outside of the agency. During the telephone conference, you clarified that you do not assign work to others; rather you forward information to the various program managers who assign the work to their staff.

While not allocating criteria, the typical work statements for the Administrative Assistant 3 classification encompass the work assigned to your position. For example, you coordinate with other departmental staff members on administrative practices and procedures for intake and referrals; you facilitate meetings on improving communication, problem-solving and coordination between the different programs; you research intake information and problems in the referral process; and you prepare reports.

In making this determination, I reviewed the entire Department of Personnel Classification Plan. While I found portions of your work described in various classifications, I found no class that described your overall duties and responsibilities better than the Administrative Assistant 3 classification. Of the currently available classifications, the best fit for the scope and level of responsibility and variety of duties assigned to your position is the Administrative Assistant 3 classification.

Appeal Rights

WAC 357-49-018 provides that either party may appeal the results of the Director's review to the Personnel Resources Board by filing written exceptions to the Directors' 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 Directors' 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,

Holly Platz
Director's Review Investigator

cc: Sandi LaPalm, LNI

List of Exhibits for Schmid 06AL0095

Documents received as part of the Director's review request:

1. Letter from Mr. Schmid dated June 23, 2006 requesting a Directors' review (2 pages), with attachments:
 - a. One page of a classification questionnaire for vacant position 1255 date stamped March 4, 2004.
 - b. Letter from Mr. Schmid dated February 27, 2006 requesting a desk audit and reclassification from Administrative Assistant 3 to Management Analyst 3 (3 pages)
 - c. Allocation review letter dated May 18, 2006 to Mr. Schmid from Sandi LaPalm (4 pages)
 - d. Unsigned Position Description form for position 1255 (4 pages)
 - e. Employee Development and Performance Plan for Mr. Schmid, date of preview session 5/24/06 (1 page)
 - f. Employee Development and Performance Plan for Mr. Schmid, date of preview session 7/1/05 (1 page)

2. Undated letter from Mr. Schmid, received March 23, 2007, including Power Point slides from December 2006, Referrals in Region 2 (16 pages); Region 2 Referrals Tracking System 2006 slides (3 pages); and Notes of Audit Referrals for February 2007 slide (1 page) For illustrative purposes only, to show the number of referrals and type of reporting performed by Mr. Schmid.

Additional documents considered:

3. Position Description Form signed by Mr. Schmid on April 10, 2006 (4 pages) and addendum signed by Julie Madden on April 10, 2006 (1 page)
4. Administrative Assistant 3 class specification, class code 09540 (2 pages)
5. Management Analysis and Consultation Occupational Category including the Management Analyst 3 class specification (class code 109K) (5 pages)