

May 22, 2007

RE: Tammi Clawson v. Department of Labor and Industries
Allocation Review No. ALLO-06-001

Dear Ms. Clawson:

On May 8, 2007, I conducted a Director's review meeting at the Department of Personnel, 2828 Capitol Boulevard, Olympia, Washington, concerning the allocation of your position. Present at the Director's review meeting were you and B.J. Matthews, Human Resource Consultant, representing the Department of Labor and Industries (L&I).

Background

On December 12, 2005, you completed a Position Description (PD) form for reallocation of your position from Administrative Assistant 4 to Administrative Assistant 5. (Exhibit D). Your supervisor, Dr. David Bonauto, Associate Medical Director for Safety and Health Assessment and Research for Prevention (SHARP), and your department head, Robert Malooly, Assistant Director for Insurance Services, agreed that the duties in your PD were an accurate reflection of your work. By letter dated December 12, 2005, Dr. Bonauto stated his support of your request for reallocation. (Exhibit E).

By corrected letter dated June 12, 2006, L&I determined that your position was properly allocated and denied your request. (Exhibit B). By letter dated June 30, 2006, you requested a review of that decision. (Exhibit A).

Summary of Ms. Clawson's Perspective

You believe that the duties and responsibilities of your position are more complex and carry a higher level of accountability than those typically encompassed by the Administrative Assistant 4 classification. You assert that you represent your supervisor on program matters with far reaching impact which requires higher-level work than coordinating unit activities as intended by the Administrative Assistant 4 classification. You contend that SHARP is held to a high standard of public disclosure and accountability, develops policy for the entire state, and is responsible for producing outcomes that reduce injuries and illnesses in industries across the state which can be a very politically charged environment. You argue that SHARP outcomes are

more significant to the state than other program outcomes and extra procedures are followed within SHARP to assure compliance with federal grant requirements, HIPPA requirements and Institutional Review Board standards and policies. Because of the complexity of duties and high level of responsibility assigned to your position, you feel that the position best fits the Administrative Assistant 5 classification.

Summary of L&I's Reasoning

Ms. Matthews explained that the division of L&I has five major subdivisions. Insurance Services is one of the major subdivisions. Your position supports the SHARP program which is within the Insurance Services subdivision. You report to a Program Manager who is the Research Director for SHARP. The Program Manager reports to the head of the Insurance Services subdivision who then reports to the Director of L&I who is head of the division.

L&I asserts that the Administrative Assistant class series best encompasses the scope and variety of tasks and responsibilities assigned to your position. L&I further asserts that you do not report to a department head, agency director or head of a major subdivision of an agency as required by the definition of the Administrative Assistant 5 classification. Therefore, L&I contends that based on your reporting relationship and in consideration of the broad scope of your duties, the Administrative Assistant 4 level is the most appropriate allocation for your position.

Director's Determination

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).

As the Director's designee, I carefully reviewed all of the documentation in the file and considered the clarifying information you and Ms. Matthews provided during the review meeting. In addition to the Administrative Assistant 4 and 5 classifications, I reviewed additional classifications including Contracts Specialist 2 and Budget Analyst 2. I found portions of your duties in each of these classifications. However, when considering the broad variety of duties and responsibilities assigned to your position, I determined that the Administrative Assistant series best encompassed the overall scope of your position.

Based on my review of the documents, the available classifications, and my analysis of your assigned duties and responsibilities including your reporting relationship within the L&I structure, I conclude that your position is properly allocated to the Administrative Assistant 4 classification.

Rationale for Determination

SHARP is focused on conducting numerous research projects, monitoring occupational illnesses and injuries, and conducting demonstrations to promote healthy work environments and prevent workplace injuries and illness. In conducting these activities, SHARP staff works with employers, workers, business associations, industry groups, labor, health care professionals and L&I staff. Within SHARP, your position has a high level of responsibility and decision-making authority for many distinct, yet interrelated, administrative functions in support of the efforts of SHARP staff. You act on your supervisor's behalf; manage complex contracts and federal grants; work with budget and fiscal staff; develop, monitor, adjust, and administer grants and contracts; resolve contract disputes; exercise expenditure authority for SHARP; monitor, track and coordinate the legislative process for SHARP; produce reports and correspondence; produce GMAP and logic models for your supervisor; respond to inquires from stakeholders; provide policy guidance for SHARP staff; recruit and hire project and administrative support staff; and supervise staff.

The definition for the Administrative Assistant 5 classification states: “[p]rincipal assistant for administrative matters to a departmental head, agency director, or the head of a major subdivision of a major State agency. Accomplishes varied and complex projects; makes decisions and acts for supervisor in administrative matters.” Your position does not fit within this definition. While you do act as an assistant, perform varied and complex projects, and act on behalf of your supervisor, your supervisor is a Program Manager who reports to the head of a major sub-division. Your supervisor is not a department head, agency director or head of a major subdivision of a major State agency. Rather, SHARP is one of the work units within the Insurance Services subdivision.

The definition for the Administrative Assistant 4 classification states: “[a]ssistant for administrative matters to the head of a State agency or the head of a major sub-division or major operating location of an agency. Accomplishes varied administrative projects; makes decisions and actions for supervisor in administrative matters.” Your position best fits within this definition. You are the assistant for administrative matters for your supervisor, the head of SHARP which is a major unit with several operating locations within the Insurance Services subdivision. SHARP deals with complex matters having broad impact to industries and workers within the State of Washington. Your position supports SHARP by performing a wide array of professional-level administrative tasks, making decisions on behalf of your supervisor, and providing support to the varied research projects conducted by the unit.

Of the available classifications, the Administrative Assistant 4 best encompasses the breadth, scope, and level of responsibility of your position. Your position is properly allocated.

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

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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: B.J. Matthews, L&I
Lisa Skriletz, DOP

List of Exhibits for Clawson ALLO-06-001

- A. Ms. Clawson's review request dated June 30, 2006, received July 7, 2006
- B. June 12, 2006, corrected letter from Sandi LaPalm to Ms. Clawson denying her request for reallocation
- C. June 9, 2006 letter from Sandi LaPalm (signed by B.J. Matthews) to Ms. Clawson denying her request for reallocation
- D. Position Description form signed by Ms. Clawson on December 12, 2005
- E. Letter dated December 12, 2005 from David Bonauto to Bob Malooly in support of Ms. Clawson's request for reallocation
- F. Performance Appraisal Form for Ms. Clawson for the period of June 2006 to June 2007
- G. List entitled TASKS and Percentages of Time Performed
- H. Administrative Assistant 1, 2, 3, 4, 5, Task Statement Form for Individual Positions for position #3747
- I. Directors Office and Insurance Services Organizational Charts date March 12, 2007
- J. Classification Specification for Administrative Assistant 4, class code 09560
- K. Classification Specification for Administrative Assistant 5, class code 09570
- L. Budget Occupational Category including classification specification for Budget Analyst 2, class code 147B
- M. Classification Specification for Contracts Specialist 2, class code 46800