

January 26, 2009

TO: Sherri-Ann Burke, Senior Field Representative
Washington Federation of State Employees (WFSE)

FROM: Teresa Parsons
Director's Review Program Supervisor

SUBJECT: Susan Knopes v. Washington State Patrol (WSP)
Allocation Review Request ALLO-07-116

On November 19, 2008, I conducted a Director's review conference at the Department of Personnel, 2828 Capitol Boulevard, Olympia, Washington, concerning the allocation of Susan Knopes' position. Present at the Director's review conference were you, Robyn Steacy, WFSE Representative, and Ms. Knopes. Debb Chavira, Human Resources Manager, represented WSP.

Director's Determination

This position review was based on the work performed for the six-month period prior to August 24, 2007, the date WSP Human Resources received Ms. Knopes' request for a position review. As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review conference, and the verbal comments provided by both parties. Based on my review and analysis of Ms. Knopes' assigned duties and responsibilities, I conclude her position is properly allocated to the Administrative Assistant 3 classification.

Background

On July 2, 2007, Ms. Knopes submitted a memo to her supervisor, Department Psychologist Daniel W. Clark, Ph.D., requesting a position review. On August 24, 2007, Dr. Clark signed the Position Review Request (PRR) form indicating that the information described on the form was accurate. WSP Human Resources received the PRR on August 24, 2007 (Exhibit B-1). On October 4, 2007, Human Resource Consultant Sherry Moe conducted a desk audit and recommended Ms. Knopes' position be allocated at the Confidential Secretary level (Exhibits B 4-5). A Confidential Secretary position, however, is typically an exempt position and not within the state's classification plan. In addition to reviewing the PRR, WSP's Human Resources Department also considered the Position Description Form (PDF) for Ms. Knopes' position (#0138), signed December 20, 2007 (Exhibit B-2). Also included in Exhibit B-2 is an earlier PDF from December 2006. By memo dated November 1, 2007, Ms. Chavira notified Ms. Knopes that her position was properly allocated as an Administrative Assistant 3.

On November 20, 2007, the Department of Personnel received Ms. Knopes' request for a Director's review of WSP's allocation determination.

Summary of Ms. Knopes' Perspective

Ms. Knopes asserts she provides sole administrative and secretarial support to the Department Psychologist, Dr. Clark, who reports directly to the WSP Chief. As a result, Ms. Knopes states that she is required to make decisions in her supervisor's absence and she works independently with minimal supervision. Additionally, Ms. Knopes contends her position maintains a high level of confidentiality due to the sensitive nature of Dr. Clark's role as WSP's psychologist. Ms. Knopes further contends that she works with Dr. Clark to oversee the Peer Support Network and notes that Dr. Clark's work extends beyond WSP to other law enforcement agencies as well. Ms. Knopes states that Dr. Clark is often away from the office and asserts she deals with a variety of issues during his absence ranging from routine appointments to individuals experiencing traumatic, psychological issues. Ms. Knopes states she has responsibility for handling calls and issues that arise, making determinations about whether or not to take immediate action or wait until Dr. Clark is available, depending on the severity of the situations. Ms. Knopes asserts she works in an independent location where she independently handles all functions related to the Psychologist's Office. Ms. Knopes maintains that she exercises independent judgment about highly confidential issues, and she believes the Administrative Assistant 4 is the appropriate classification for her position.

Summary of WSP's Reasoning

WSP acknowledges Ms. Knopes' position maintains a high level of confidentiality. WSP further acknowledges Ms. Knopes independently makes decisions within the scope of her work in the Psychologist's Office. However, WSP asserts the level of work assigned to Ms. Knopes' position falls within the scope of an Administrative Assistant 3 position. Specifically, WSP contends that Ms. Knopes does not serve as an assistant on administrative matters to the head of a major sub-division within WSP. While WSP recognizes that Dr. Clark reports directly to the Chief, WSP asserts he primarily reports to the Chief due to the confidential nature of his work as opposed to the level of administrative responsibilities. For example, WSP contends Dr. Clark is not part of the executive staff and that he does not participate in executive staff meetings or decisions. Therefore, WSP asserts the level of administrative support Ms. Knopes provides to Dr. Clark does not reach the level envisioned in the Administrative Assistant 4 classification. Instead, WSP contends the administrative and secretarial support functions Ms. Knopes performs in support of the Department Psychologist fit within the Administrative Assistant 3 classification.

Rationale for 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. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Both the Position Review Request (PRR) and Position Description Form (PDF) indicate that Ms. Knopes' position serves as the administrative and secretarial support for the Department Psychologist. The documentation also notes her responsibility for maintaining confidentiality. Other primary duties include maintaining the psychologist's calendar and scheduling appointments and administering the Peer Support and Critical Incident Programs (Exhibits B-1 and B-2). While the PRR indicates supervision of Peer Support and Critical Incident team members, the PDF does not describe Ms. Knopes' position as a supervisory or lead worker position.

During the Director's review conference, Ms. Knopes clarified that the Peer Support team is comprised of about 35 members of the WSP, statewide, who provide mentorship and assistance to others, including support for critical incidents. Ms. Chavira explained that the Peer Support group has a steering committee comprised of five members who make decisions as a team. The steering committee includes Dr. Clark, Ms. Knopes, and three WSP officers serving as volunteer coordinators for their respective regions. Ms. Chavira described Ms. Knopes' role as a facilitator for the peer group, connecting individuals in need of support with a peer mentor, which may or may not be related to a critical incident. The desk audit report indicates that part of Ms. Knopes' administrative support includes tabulating monthly log sheets from the various peer support members. Ms. Knopes tracks the number of contacts and time spent with individuals or in a particular area, alerting Dr. Clark when necessary (Exhibit B-4). These duties are consistent with Ms. Knopes' description of her work on the PRR in which she indicates she keeps records of peer support activities and coordinates referrals (Exhibit B-1, page 2). Ms. Knopes also provided an illustration of the type of tracking report she prepares in support of the Peer Support Team (Exhibit C-3).

Other major job duties described on the PRR and PDF require the use of independent judgment and initiative to set priorities, maintain confidentiality, and maintain office and administrative functions related to the psychologist's office. Examples of such duties include the following:

- Input information for client reports, organizing and summarizing data in proper format;
- Answer routine correspondence;
- Initiate actions to obtain needed documents, including location of records and individuals necessary to complete the job;
- Process fiscal forms;
- Prioritize mail, reports, client correspondence for psychologist;
- Make travel arrangements and complete travel vouchers;
- Answer phone inquires and handle personal contacts with visitors and clients;
- Obtain information for scheduling;
- Coordinate client referral network by receiving information from psychologist regarding the client and type of referral treatment and then determining referral service, area, and availability, acting as liaison between client and referral;
- Administer psychological testing to department personnel and scoring tests when necessary.

During the Director's review, the parties clarified that Ms. Knopes coordinates the psychological testing functions for WSP personnel and cadets, HR administers the testing, and Ms. Knopes then scores the test sheets by entering data into the computer. Ms. Knopes then reviews the reports and provides the results to HR.

In addition to the duties described above, Dr. Clark indicated on the PRR that he supervises Ms. Knopes on a spot-check basis only, and he provided examples of Ms. Knopes' decision-making without his approval as "office supply purchases" and "patient/interview scheduling" (Exhibit B-1, page 7). During the Director's review conference, the parties agreed that Ms. Knopes handles the functions of the office in Dr. Clark's absence. WSP noted, however, that Dr. Clark is available by telephone and email and that an on-call clinical psychologist is available when he is absent more than three days.

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations.

The Administrative Assistant 4 (AA 4) definition reads as follows:

Positions serve as the assistant on administrative matters to the head of a state agency, the head of a major sub-division or major operating location of an agency, or to the chief administrator or head of a major organizational unit such as a school, college, or major academic/administrative department.

The AA 4 distinguishing characteristics further indicate, in part, the following:

For those positions in a major organizational unit such as a . . . major administrative department, the "unit" will typically have more than 75 full-time equivalent professional and/or classified staff . . . ; OR positions serve as both sole administrative support and the executive secretary reporting to the organizational head. These positions are assigned to major units, with institution-wide responsibility, that have no assistant directors . . . or managers who would share the administrative duties of the position.

I recognize Ms. Knopes provides sole administrative and secretarial support to the Department Psychologist. While the psychologist's role in the department is extremely important, the administrative work differs from that of a typical major sub-division or administrative department. For example, Dr. Clark does not have the administrative responsibility of maintaining a department budget or participating in executive decisions at WSP. As a result, the level of administrative duties delegated to Ms. Knopes' position does not reach the scope of responsibility envisioned by the AA 4 classification.

The definition of an Administrative Assistant 3 (AA 3) states, "[p]ositions perform varied administrative and secretarial support duties or positions are responsible for one or more major program activities under a second line supervisor." The AA 3 distinguishing characteristics include the following:

Positions are delegated higher-level administrative support duties or positions are delegated one or more major program activities that would be performed under a second-level professional supervisor, manager or administrator in WMS Band II or above or in exempt service, chief administrator, or head of a major organizational unit such as a . . . major academic or administrative department. Only one position will be allocated to an individual second-line supervisor for those positions performing one or more major program activities.

A major program activity is defined as a function that is a major element of the supervisor's job. The duty must stand alone and would create significant adverse consequences if poorly performed. However, full delegation can't occur if the supervisor's position requires specialized licensure such as attorneys, medical doctors, and engineers.

Higher-level administrative duties are duties of a substantive nature that are appropriate to be performed by the supervisor, manager, administrator, or professional level employee but have been delegated to the administrative assistant to perform. Areas may include but are not limited to, the following: budget development and/or management, expenditure control, office space management, equipment purchases, budget development and/or management, public relations, personnel administration, records management, and report preparation.

Incumbents in these positions represent the supervisor's and/or unit's goals and interests and provide interpretation or explanation of the supervisor's policies or viewpoints.

The AA 3 distinguishing characteristics are consistent with Ms. Knopes' position. She has been delegated higher-level administrative support duties of a substantive nature that are appropriate to be performed by her supervisor but have been delegated to her position. For example, Ms. Knopes provides confidential, administrative support to the Department Psychologist by handling phone calls and personal contacts with clients and determining the appropriate course of action. Ms. Knopes also arranges for referrals and coordinates functions related to the Peer Support and Critical Incident teams, which can be considered major elements of Dr. Clark's job delegated to Ms. Knopes' position. Although Ms. Knopes provides administrative support to the Department Psychologist, the scope and level of responsibility assigned to the Department Psychologist and his area of operation do not reach the same level described in the distinguishing characteristics of the AA 4 class. This is primarily due to the size and scope of the Psychologist's Office, including number of FTE's and breadth of administrative functions and responsibilities.

Although examples of typical work do not form the basis for an allocation, they lend support to the work envisioned within a classification. The typical work of an AA 3 most in line with Ms. Knopes' assignment of work includes the following:

- Establishes procedures and interprets and applies administrative policies;
- Evaluates costs and/or approves purchases for expenditures such as equipment and supplies;
- Coordinates, organizes, and/or directs the operation of a program or major program activity. *(In this case, Ms. Knopes coordinates referrals and works with the appropriate personnel to resolve issues, including critical incidents);*
- Represents management and serves as the primary contact;
- Prepares reports;
- Coordinates with other departmental staff members on administrative practices and procedures;
- Serves as a liaison between supervisor and other staff members;

- Provides secretarial support to supervisor; coordinates office operations; keeps supervisor's calendar; makes travel arrangements; screens, prioritizes, and distributes mail; screens calls and visitors.

It is clear Ms. Knopes is a highly-valued employee who provides excellent support to the Department Psychologist. Ms. Knopes has a tremendous amount of experience and knowledge about office operations and plays a critical role in balancing the confidentiality of clients with quality service and decisive actions. A position's allocation, however, is not based on an evaluation of performance or an individual's ability to perform higher-level work. Rather, it is based on the majority of work assigned to a position. Therefore, the Administrative Assistant 3 classification best describes the scope of duties and level of responsibility assigned to Ms. Knopes' position #0138.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

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.

c: Susan Knopes
Debb Chavira, WSP
Lisa Skriletz, DOP

Enclosure: List of Exhibits