

February 9, 2009

TO: Ronald Farino

FROM: Teresa Parsons
Director's Review Program Supervisor

SUBJECT: Ronald Farino v. Department of Corrections (DOC)
Allocation Review Request ALLO-08-034

On June 27, 2008, the Director's Review Program received your request for a Director's review of DOC's decision to reallocation your position. On October 2, 2008, Karen Wilcox, Director's Review Coordinator, informed the parties that the Director's review would be considered through written documentation. Ms. Wilcox included an exhibit due date of December 11, 2008 (Exhibit AB). A complete list of the written documents (exhibits) is attached.

Director's Determination

As the Director's designee, I carefully considered all of the documentation in the file. Based on my review of the documents, the available classifications, and my analysis of the duties and responsibilities reassigned to position #CH43, I conclude the position is properly allocated to the Chaplain 2 classification.

Background

In your June 24, 2008 letter requesting a Director's review, you also reference being placed on home assignment, as well as layoff options presented at the time of your position's reallocation. On June 30, 2008, DOP received your follow-up letter regarding your position's reallocation with an attached letter from Terry Antles, Superintendent at Ahtanum View Corrections Center (AVCC), regarding your home assignment and layoff options. On July 14, 2008, I informed you that the only issue appropriate for a Director's review was the reallocation of your position (Exhibit AA).

On June 17, 2008, Human Resources Consultant Donnelle Brumley at AVCC notified you that effective June 5, 2008, your position (#CH43) was being reallocated upward. The Correctional Specialist 1 position was being reallocated to the Chaplain 2 classification. On June 27, 2007, the Department of Personnel, Director's Review Program received your request for a Director's review of DOC's decision.

On November 6, 2008, Joanne Harmon, Human Resources Consultant in the HR Classification Unit at DOC's Headquarters submitted written documentation supporting DOC's decision to reallocate your position. You did not submit any additional documentation.

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).

The Position Description Form (PDF) for position #CH43 signed by your supervisor, Kathleen Dowdy, and Superintendent Terry Antles on June 3, 2008, describes the position's purpose as follows (Exhibit C-2):

The Ahtanum View Corrections Center (AVCC) Chaplain 2 manages the offender religious program, the volunteer resource services-community partnership program and administers the family friendly program. This position will collaborate with the department's criminal justice partners, victims, citizens, and other stakeholders to enhance community safety, reduce victimization, and hold offenders accountable through the administration of criminal sanctions and effective correctional programs in accordance with legislative requirements and agency policy and procedure.

The position is not assigned supervisory or lead work over other staff. In summary, the majority of work includes (Exhibit C-2):

- 40% Managing the offender religious program at AVCC.
- 40% Managing the volunteer resources service-community partnership program for AVCC.

The volunteer resources service-community partnership responsibilities include:

- Recruiting, screening, training, scheduling, and supervising religious and other community volunteers;
- Maintaining program records;
- Participating in facility programs to prepare offenders for re-entry into the community;
- Provide volunteer attendance and program reports to the Community Corrections Specialist;
- Organizing the facilities and annual volunteer appreciation activities;
- Developing, directing, and promoting new and existing offender programs through the use of volunteers and outside agencies.

10% of the assigned work also involves presenting agency information at community meetings and attending mandatory Chaplain and CPPC meetings. Another 10% requires participation as a member of the facility extended management team.

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 Class Series Concept for the Corrections Specialist classes states:

Within the Department of Corrections, is responsible for various correctional programs as assigned, such as community service activities, institutional training, classification and treatment programs, offender grievances, institutional hearings, roster management for major institutions, contracted chemical dependency treatment services, deaf inmate program services, auditing of correctional programs, HQ intelligence and investigations, canine or; administers an investigative/intelligence operation at a major institution. Some positions may supervise lower level staff.

The definition for a Corrections Specialist 1 states:

This is the entry level of the series. In the Department of Corrections, serves as a manager of the department's community and citizen involvement program at an institution with 500 or less registered volunteer staff. Primary responsibility is acting as a liaison between the community and institution on community involvement issues, volunteer administration, which includes volunteer recruitment, providing technical assistance to staff and management on the use of volunteers, providing mandatory training to volunteers, maintaining records for accountability, coordinating projects utilizing community or offender volunteers, and preparing reports.

While positions allocated to the Corrections Specialist 1 classification deal with community service programs and volunteers working with the institution, positions in this class do not manage an offender religious program.

While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification. Again, some of the examples of work provided for the Corrections Specialist 1 include working with volunteers and community service projects and maintaining program records. However, the examples of work do not include responsibilities assigned to a Chaplain or an offender religious program.

The definition for the Chaplain 2 classification states:

Conducts worship, educational, pastoral and administrative services at a State institution and provides spiritual and moral guidance for residents within the institution. Additionally conducts an accredited clinical pastoral education program within a State institution.

The Chaplain 2 distinguishing characteristics include:

Positions in this class are distinguished from the Chaplain 1 level by the responsibility for administering a C.P.E. program. C.P.E. programs characterized at this level possess all four of the following elements:

- A. Each clinical education unit conducted will have 3-6 full-time participant students;
- B. at least two units will be conducted each year;
- C. each clinical unit conducted will cover both basic and advanced courses; and
- D. the program will be accredited to serve students of varying denominations.

In addition to working with community service groups and volunteers, the typical work of a Chaplain 2 includes work relating to managing a religious program. Some examples include:

- Ministers to the religious needs of persons of all religious faiths; provides for the protection of the resident's constitutional guarantee of religious freedom;
- Plans, directs and implements ACPE or NACC approved training program for seminary students, community clergy, ministers, and other qualified persons;
- Recruits students, evaluates student application forms; conducts initial interviews and selects trainees for clinical pastoral training program;
- Acts as Chaplain for the institution; prepares and conducts religious services; administers sacraments and other religious rites; conducts special services on religious holidays and on special occasions, as appropriate;
- Offers consultation to staff in religious and therapeutic areas and participates in the continuing education of staff in the area of his/her competence;
- Corresponds with relatives, court officials, and friends of residents or patients on religious matters; works closely with professional staff to further treatment;
- Explains and interprets institution's religious and treatment programs to community groups;
- When desired, arranges community religious contacts for those to be released;
- Ministers to the ill and conducts funeral services for deceased patients, residents, or staff at the request of their families;
- Obtains and distributes religious literature that is appropriate for the faiths represented;
- Arranges for choir or organist to provide sacred music at services;

- Arranges for appropriate volunteer ministers to conduct special services for members of recognized denominations.

The former Personnel Appeals Board (PAB) has previously held the following:

When there is a definition that specifically includes a particular assignment and there is a general classification that has a definition which could also apply to the position, the position will be allocated to the class with the definition that includes the position Mikitik v Depts. of Wildlife and Personnel, PAB No. A88-021 (1989).

In this case, the new duties assigned to your position include responsibility for managing an offender religious program at AVCC. Based on the overall duties and responsibilities that have been reassigned to position #CH43, effective June 5, 2008, the Chaplain 2 classification is the best fit.

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: Donnelle Brumley, AVCC
Joanne Harmon, DOC HQ
Lisa Skriletz, DOP

Enclosure: List of Exhibits