

June 17, 2009

TO: Cheryl Wilcox

FROM: Holly Platz, SPHR
Director's Review Investigator

SUBJECT: Cheryl Wilcox v. Department of Social and Health Services (DSHS)
Allocation Review Request ALLO-08-108

The Director's review of DSHS's allocation determination of your position has been completed. The review was based on written documentation. This review covers the six month period prior to October 15, 2008, the date that DSHS's Classification and Compensation Unit received your updated Position Description Form requesting reallocation of your position.

Director's Determination

As the Director's designee, I carefully reviewed all of the documentation in the file including the duties and responsibilities described in your October 2008 Position Description Form. I reviewed the Administrative Assistant series, specifically the Administrative Assistant 3 and 4 classifications. Based on my review of the documents, the available classifications, and my analysis of your assigned duties and responsibilities, I conclude that overall, your position is best described by the Administrative Assistant 3 classification.

Background

On October 15, 2008, DSHS's Classification and Compensation Unit received your Position Description Form asking that your Administrative Assistant 3 position be reallocated to the Administrative Assistant 4 classification. DSHS reviewed your position and by letter dated December 3, 2008, determined that your position was properly allocated to the Administrative Assistant 3 classification.

On December 29, 2008, you filed a request for a Director's review of your position. In your Director's review request, you asked that your position be reallocated to the Administrative Assistant 4 classification.

Summary of Ms. Wilcox's Perspective

You argue that the duties of your position changed dramatically in April 2008 when the Division of Alcohol and Substance Abuse (DASA) Administrative Assistant 4 (AA4) left to work for another agency. At that time, the office was reorganized and you were assigned a

majority of the work previous performed by the AA4 position. You assert that when you were assigned the AA4's duties, your support work was eliminated. You argue that you now perform higher-level administrative duties of a substantial nature for the Division including:

- Records manager
- Lead role as the legislative coordinator
- Responsible for all interpreter and translation services
- Website coordinator
- Delegated authority to coordinate the Citizens Advisory Council on Alcoholism and Drug Addiction
- Reviewing expenditures
- Delegating secretarial duties

You contend that since your duties were changed, clerical duties encompass only 10-15 percent of your duties. Because there has been a substantial increase in your duties and responsibilities, you contend that your position should be reallocated to the AA4 classification.

Summary of DSHS's Reasoning

DSHS explains that your position reports to the Office Chief, Planning, Policy and Legislative Relations and that the Office Chief is a second-line supervisor. DSHS argues that the Office Chief does not function as the head of a state agency, the head of major sub-division or major operating location nor is this position the chief administrator or head of a major organizational unit. DSHS contends that your supervisor reports to the Director of DASA and that DASA is a sub-division within Health and Recovery Services Administration. DSHS also argues that you perform administrative support activities a majority of the time and that the remainder of your duties fit the Secretary Senior classification. Based on a majority of your assigned duties and responsibilities, DSHS asserts that your position is properly allocated to the AA3 classification.

Rationale for 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).

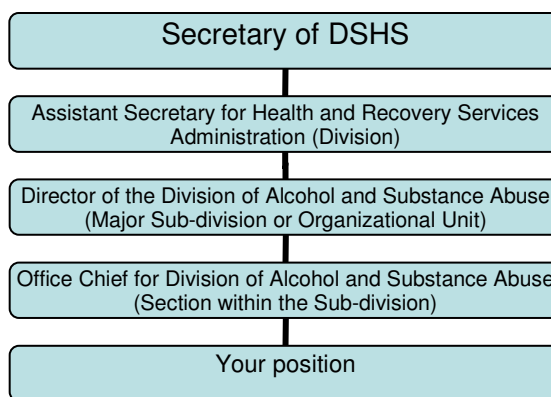
You argue that as a result of the reorganization of the office, you were given duties previously performed by the AA4 position. However, the Personnel Resources Board has found that while a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a

position. Byrnes v. Dept. of Corrections, Case No. R-ALLO-06-005 (2006) citing to Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

The Administrative Assistant 4 (AA4) definition states: “[p]ositions 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 Personnel Resources Board addressed the reporting structure required for allocation to the AA4 classification in Norton-Nader v. Western Washington University, PRB Case No. R-ALLO-08-002 (2009). The Board recognized that the appellant’s duties appeared to meet the level of work described in the typical work statements of the AA4 classification but determined that her work unit, the Faculty Senate, was not a major organizational unit. The Faculty Senate was described as “an integral partner in the shared governance of the entire University.” The appellant reported to the Faculty Senate President, advised, instructed, and assisted the senate president in accomplishing the goals of the Faculty Senate and provided administrative support to the various Faculty Senate committees. However, because the Faculty Senate was not a major organization, the Board determined that the appellant’s position did not meet the definition of the AA4 class or meet the threshold for considering the distinguishing characteristics of the AA4 class.

Your position reports to the Office Chief for the Division of Alcohol and Substance Abuse. The Office Chief reports to the Director of the Division of Alcohol and Substance Abuse (DASA). The Director of the DASA reports to the Assistant Secretary for Health and Recovery Services Administration (HRSA). DASA is a major sub-division or a major organizational unit within HRSA. The Director of HRSA reports to the Secretary of DSHS.



Your position does not report 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. Therefore, your position does not fit within the reporting structure required for allocation to the AA4 class.

Although your position does not meet the threshold for allocation to the AA4 classification, I consider the distinguishing characteristics of the class in relation to your duties and level of responsibility. The AA4 distinguishing characteristics state:

Positions perform higher-level administrative 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. Positions in higher education may provide direct confidential secretarial support to a unit head or administrator. For general government positions, secretarial or clerical duties are incidental to the administrative functions performed.

For those positions in a major organizational unit such as a school, college, or major academic/administrative department, the "unit" will typically have more than 75 full-time equivalent professional and/or classified staff; OR service responsibility for more than 4,000 full-time students or staff, OR in the regional universities, college and community colleges, positions serve as the sole administrative support in an organization that has institution-wide responsibilities; 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, deans or managers who would share the administrative duties of the position.

At the AA4 level, sub-division level administrative duties typically include higher-level, substantive work of a strategic nature such as participating in establishing financial and performance goals and short and long-term plans and participating in strategic and quality planning processes. Here, as in Norton-Nader, your position performs some of the administrative work typically found at the AA4 level. However, you do not perform these higher-level duties a majority of the time. Your position does not fit within the definition or distinguishing characteristics of the AA4 class.

The definition for the Administrative Assistant 3 (AA3) classification 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 majority of the work your position performs is varied administrative and secretarial duties in support of the activities of your supervisor and section staff. Your supervisor is a second-line supervisor, i.e. he supervises supervisors. Your position fits within the definition of the AA3 level.

The distinguishing characteristics for Administrative Assistant 3 state:

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 school, college, or 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.

You perform varied higher-level administrative support duties and some secretarial duties for your supervisor and others, including the Citizens Advisory Council on Alcoholism and Drug Addiction. By performing your duties and responsibilities, you relieve your supervisor of day-to-day functions and administrative details/activities of the office. Your higher-level administrative support and secretarial duties include:

- 30% Independently responding to email and correspondence, reviewing and approving routine expenditures, scheduling meetings and travel, managing your supervisor's calendar and delegating assignments to others including determining due dates and providing input regarding completed work.
- 20% Managing the DASA website.
- 10% Performing records manager duties and responsibilities.
- 10% Providing support for the Citizens Advisory Council on Alcoholism and Drug Addiction which includes attending meetings, taking minutes, arranging travel and processing travel vouchers, coordinating meeting rooms and interpretive services, compiling meeting materials and producing meeting agendas and presentation materials.
- 5% Overseeing all incoming communications for the section and responding to or delegating response to others as necessary.
- 2% Establishing and maintaining filing system.

In addition, you perform some higher-level administrative duties that are consistent with the type of assignments found at the AA4 level. However, these functions are not a majority of your duties and responsibilities. Your higher-level administrative duties include:

- 20% Overseeing the legislative process and providing legislative support for the division. This includes training staff about internal processes, coordinating bill assignments and reviewing bill analyses, routing analyses for approval, submitting the final analyses to Health and Recovery Services Administration, compiling information and updating tracking reports and maintaining the DASA website.

2% Participating in strategic and quality planning process for DASA.

Most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. See Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

In this case, the majority of your duties and responsibilities are administrative and secretarial support duties. Your position meets the definition and distinguishing of the AA3 classification. Your position is properly allocated.

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 mailing address for the Personnel Resources Board is P.O. Box 40911, Olympia, Washington, 98504-0911. As of June 29, 2009, the location of the Personnel Resources Board will be 600 South Franklin, Olympia, Washington; however the mailing address will remain the same.

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

cc: Pam Pelton, DSHS
Classification & Pay Team, DOP

List of Exhibits

A. Cheryl Wilcox Exhibits

1. Letter requesting a Director's Review December 29, 2008
 - Agency Allocation determination letter dated 12/3/2008

B. DSHS rational for allocation along with Exhibits 1-7

1. Position Description Form with
 - Organizational Chart
2. Previous Updated PDF dated 3/15/05
3. Reallocation decision letter dated 12/2/2008
4. WMS PDF – Office Chief, Pos. QX88
5. Classification Specs Administrative Assistant 3
6. Classification Specs Administrative Assistant 4
7. Classification Specs Secretary Senior

C. Exhibits added by DOP investigator:

1. June 11, 2009 e-mail from Cheryl Wilcox confirming reporting relationships
2. June 11, 2009 e-mail from Pam Pelton confirming reporting relationships
3. DSHS organization chart dated January 5, 2008