

January 19, 2011

TO: Teresa Parsons, SPHR
Director's Review Program Supervisor

FROM: Kris Brophy, SPHR
Director's Review Investigator

SUBJECT: Adam Dvorak v. Washington State University - Vancouver
Allocation Review Request ALLO-10-029

Director's Determination

This position review was based on the work performed for the six-month period prior to March 1, 2010, the date Washington State University – Vancouver (WSU-V) received the request for a position review. As a result of its review, WSU-V reallocated Mr. Dvorak's position to Media Maintenance Technician 2. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the verbal comments provided by both parties during the review telephone conference. Based on my review and analysis of Mr. Dvorak's assigned duties and responsibilities, I conclude his position should be reallocated to the Broadcast Technician 2 classification.

Background

On March 1, 2010, WSU-V human resource office received Mr. Dvorak's Position Questionnaire (PQ) form asking that his position be reallocated from TV Equipment Operator Lead to the Information Technology Specialist 2 classification (Exhibit B-2). Mr. Dvorak signed the form on February 25, 2010. His supervisor completed and signed the supervisor's portion of the form on February 25, 2010.

By personal service on July 1, 2010* WSU-V notified Mr. Dvorak that his position was reallocated to Media Maintenance Technician 2 (Exhibit B-1). (Corrected date provided by WSU-V HR during review telephone conference.)

On July 13, 2010, the Department of Personnel received Mr. Dvorak's request for a Director's review of WSU-V's allocation determination (Exhibit A-2).

On November 30, 2010, I conducted a Director's review telephone conference. Present during the conference were Adam Dvorak; and Merlinda Sain, Human Resource Generalist.

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).

Duties and Responsibilities

Mr. Dvorak is responsible for the day-to-day operations of the Videoconferencing Services on the WSU-V campus. His duties include operating and monitoring videoconferences, troubleshooting conferencing IP issues, installing, troubleshooting, maintaining video operating software and hardware equipment, and repairing departmental computers for multimedia purposes.

Mr. Dvorak submitted a description of his job duties and responsibilities by separate document to the PQ on March 1, 2010 (Exhibit B-3). He subsequently submitted a revised description with a more detailed breakdown of his duties on May 20, 2010 (Exhibit B-4). Mr. Dvorak's duties and responsibilities are summarized from that document as follows:

- 25.25% Administrative Responsibilities. Highly detailed organizing and scheduling of videoconference meeting events including deeply involved coordination of equipment and meeting needs. Respond to all faculty, staff and student inquiries. Organize, update and maintain Excel spreadsheet room schedule for control room use. Organize Outlook schedule for all videoconference rooms and site. Attend technical meetings, backup support to VCS Academic Class scheduling. Schedule part-time staff.
- 23% Videoconference Telecommunication Duties. Operate and monitor videoconference events in the control room. Remotely support, operate and troubleshoot videoconferences for 15 conference rooms throughout campus via online graphical user interfaces. Lead a help-desk environment for those with videoconferencing issues. Network monitoring, diagnosing and troubleshooting of videoconference IP issues. Maintain specific software configuration for and updates for videoconference devices. Supervise, schedule and train part-time employees, ensure their training is up to date. Configure videoconference classrooms for best support of specified videoconference events. Train faculty, staff and students how to operate and request videoconference facilities. Provide technical advice regarding best use of videoconference facilities. Create manuals and quick reference guides specific to each videoconference device.
- 21% Computer Related Duties. Install, maintain, and repair department specific hardware, software, OS configurations for department computers. Perform, install, maintain networking and VPN solutions for computer monitoring and file sharing. Troubleshoot wireless internet configurations on multiple different operating systems. Collect and analyze statistical data to track network trouble and other issues. Troubleshoot network issues using diagnostic tools. Reformatting hard drives and

reinstalling operating systems on all department computers annually. Serving as system administrator to all department computers.

12% Video streaming – Install, configure, maintain and troubleshoot computer hardware and software. Apply and test video streaming and communications software. Prepare video stream files daily. Create, edit, organize, and distribute class video streams. Administer a local video stream service using the helix server and the on-campus proxy server.

10.25% Electronics Repair/Maintenance – Perform preventative maintenance on all electronic equipment. Repair, diagnose malfunctioning equipment, schedule engineering support when necessary. Calibrate audio video equipment and electronics. Log equipment failures.

5% Related duties as required.

Mr. Dvorak's supervisor, Chris Rhoads, Multimedia Services Coordinator, indicates in the PQ that Mr. Dvorak's description of work accurately reflects his duties and responsibilities. He submitted an additional statement fully supporting Mr. Dvorak's request for reallocation to the Information Technology Specialist 2 class (Exhibit A-6). Mr. Rhoads states Mr. Dvorak has been taking on additional duties involving the maintenance, installation, and technical support of computer systems for the past two years. Mr. Rhoads states that approximately 40% of Mr. Dvorak's job includes computer maintenance or computer-related functions, such as monitoring the IP and videoconference network. He states another 25% is administrative duties involving scheduling and coordinating meetings for the videoconference system. He states another 15% involves actual videoconference operation.

Summary of Mr. Dvorak's Perspective

In his appeal letter (Exhibit A-3), Mr. Dvorak acknowledges his duties are very broad and states that any classification chosen will not be an exact fit. Mr. Dvorak contends the Information Technology Specialist 2 class more closely describes his duties and responsibilities. Mr. Dvorak asserts the videoconference telecommunications field is very technical, and has shifted to be near exclusive to computer hardware, software, and online interfaces. Mr. Dvorak contends his daily responsibilities require many of the same skills and abilities that are held by IT Specialists including installation, configuration, maintenance, and troubleshooting on department computer software, hardware, and operating systems, administration of video streaming servers, and network monitoring and troubleshooting.

Summary of WSU-V 's Reasoning

WSU-V determined that the majority of Mr. Dvorak's duties were performed at a higher level than TV Equipment Operator Lead and reallocated his position to Media Maintenance Technician 2. WSU-V contends that while his duties do involve maintenance, installation, and/or technical support they are not done in support of information systems as defined in the class series concept. WSU-V asserts Mr. Dvorak's position focuses on the installation and maintenance of equipment that supports the media function.

Comparison of Duties to Class Specifications

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. 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.

Comparison of Duties to Information Technology Series

The Class Series Concept for the Information Technology Specialist series states:

Positions in this category perform professional information technology systems and/or applications support for client applications, databases, computer hardware and software products, network infrastructure equipment, or telecommunications software or hardware.

This category broadly describes positions in one or more information technology disciplines such as: Application Development And Maintenance, Application Testing, Capacity Planning, Business Analysis and/or Process Re-Engineering, Data Base Design And Maintenance, Data Communications, Disaster Recovery/Data Security, Distributed Systems/LAN/WAN/PC, Hardware Management And Support, Network Operations, Production Control, Quality Assurance, IT Project Management, Systems Software, Web Development, or Voice Communications.

Positions which perform information technology-related work to accomplish tasks but are non-technical in nature would not be included in this occupational category.

Mr. Dvorak's position does not fully meet the intent of the Information Technology (IT) series. Incumbents in this series provide professional information technology systems, programming, installation, maintenance and/or systems support in one or more IT disciplines identified in the class series concept. Mr. Dvorak's position is primarily focused on coordinating and maintaining the day-to-day operations of the video conferencing services at WSU-V. His position's duties include operating and monitoring videoconferences, troubleshooting conferencing IP issues, installing, troubleshooting, and maintaining specialized media equipment including video streaming operating and communications software and hardware.

Mr. Dvorak indicates approximately 21% of his time involves providing technical support to the department's related computer software and hardware equipment. A portion of his duties include installation, maintenance, and technical support of computer hardware and software. However, the overall scope and majority of his work as a whole focuses on the operation and technical support of specialized media video streaming and related communications equipment which is not a discipline specifically identified in the class series concept for the IT series. The nature and scope of this technical support is addressed by another class series which address the installation, maintenance and repair of media and/or multi-media equipment and systems.

This is supported by Personnel Resources Board (PRB) decisions in which the Board has concluded that while one class appeared to cover the scope of a position, there was

another classification that not only encompassed the scope of the position, but specifically encompassed the unique functions performed. In Alvarez v. Olympic, PRB No. R-ALLO-08-013 (2008), the Board held that “[w]hen 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 that specifically includes the position. [See Mikitik v Depts. of Wildlife and Personnel, PAB No. A88-021 (1989).”

Therefore, because the overall focus and majority of duties performed by Mr. Dvorak in his position do not meet the intent of the Class Series Concept, his position should not be allocated to a class within the Information Technology series.

Comparison of Duties to Media Maintenance Technician Series

The Class Series Concept for this series states:

Diagnose malfunctions, maintain, repair, install, construct, and test electronic media and/or multi-media equipment and systems. Provide media maintenance technical support.

Perform repairs in a variety of working environments such as media centers, auditoriums, mobile sound systems, audio recording systems, electronic conference centers.

This series is distinguished from the Computer Maintenance Technician series in that the installation, maintenance and repair of personal or other computers, other than computer equipment used in media production or as instructional media, is limited.

This series is distinguished from the Electronics Technician series by working primarily on electronic media and/or multi-media equipment and systems.

This series is distinguished from the Broadcast Technician series by not performing radio and/or television broadcast equipment operation, production, or programming activities. [Emphasis added]

This series describes positions which maintain, repair, install, construct, and test electronic media and/or multi-media equipment and systems. Incumbents within this series provide technical media maintenance support in a variety of working environments including electronic conference centers. While Mr. Dvorak's position performs these types of activities, the series specifically excludes positions which are involved with television broadcast equipment operation, production or programming. Mr. Dvorak's PQ indicates that his overall position focus and scope of work includes scheduling, operating, and producing videoconference and video streaming broadcast events.

Mr. Dvorak states he operates and monitors videoconference telecommunication events in the control room which includes remotely supporting, operating and troubleshooting videoconferences for 15 conference rooms throughout campus via online graphical user interfaces. He also configures videoconference classrooms for best support of specified videoconference events. He trains faculty, staff and students how to operate and request

videoconference facilities. He provides technical advice regarding the best use of videoconference facilities. He also creates manuals and quick reference guides specific to each videoconference device.

Because the nature of his work and scope of responsibility reaches beyond providing only technical media maintenance support to include videoconference broadcast operation and production, his position should not be allocated to a class within the Media Maintenance Technician series.

Comparison of Duties to Broadcast Technician 2 class

The Definition for this class states:

Operate, monitor, and maintain a radio or television broadcast transmitter, video-tape unit, master control panel; or studio production equipment for radio and/or television.

The Distinguishing Characteristics state:

Positions in this class perform with minimum supervision, fully-qualified technical level duties relating to television or radio facilities and/or broadcast/distribution systems in areas of maintenance, production, operation, and programming. Work must conform to Federal Communications Commission regulations and applicable State and local communication laws for all areas including a remote broadcast facility.

While it is acknowledged that the language used to describe this class is out of date given today's technology, it is the only class which specifically addresses the broad scope of Mr. Dvorak's duties. As stated in the Distinguishing Characteristics, Mr. Dvorak's position performs fully-qualified technical level duties relating to television and/or broadcast/distribution systems in the areas of maintenance, operation, and programming.

Mr. Dvorak organizes and schedules videoconference meeting events. He operates and monitors videoconference events in the control room. This includes remotely supporting, operating and troubleshooting videoconferences for 15 conference rooms throughout campus via online graphical user interfaces. He maintains specific software configurations for videoconference devices. He installs, configures, maintains and troubleshoots video streaming computer hardware and software equipment. He applies and tests video streaming and communications software. He also edits, organizes, and distributes class video streams. Administer a local video stream service using the helix server and the on-campus proxy server. He diagnoses and repairs malfunctioning equipment. His duties include calibrating audio video equipment and electronics.

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. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

In this case, the majority of the duties assigned to Mr. Dvorak's position and his level of responsibility are best described by the Broadcast Technician 2 classification. Mr. Dvorak's position should be reallocated to that class.

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 (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located at 600 South Franklin, Olympia, Washington. The main telephone number is (360) 664-0388, and the fax number is (360) 753-0139.

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

c: Adam Dvorak
Merlinda Sain, WSU-V
Lisa Skriletz, DOP

Enclosure: List of Exhibits

Adam Dvorak v. WSU-Vancouver
ALLO-10-029

List of Exhibits

A. Adam Dvorak Exhibits

1. Letter of appeal from Adam Dvorak, received by DOP on July 13, 2010. Included three exhibits which are incorporated into the record below.
2. Director's Review Request Form for Adam Dvorak.
3. Letter of explanation from Adam Dvorak.
4. Job duties and responsibilities 9/1/2009 to 3/1/2010 (Exhibit 1 to A-1).
5. Technical duties Breakdown document (Exhibit 2 to A-1).
6. Letter from Chris Rhoads, Adam Dvorak's immediate supervisor. (Exhibit 3 to A-1).

B. Washington State University – Vancouver Exhibits

Cover letter from Merlinda Sain to DOP dated July 27, 2010 enclosing:

1. Allocation Determination letter to Adam Dvorak dated June 23rd, 2010 (Hand delivered July 1, 2010).
2. Position Questionnaire (position #098585), received by WSU HRS March 1, 2010.
3. Statement of Job Duties/Responsibilities to supplement PQ (Exhibit B-2), dated March 1, 2010.
4. Email attaching revised Statement of Job Duties/Responsibilities dated May 20th, 2010. (Note: This was the description used by WSU-V HR in its review).

C. Class Specifications

1. DOP Class Specification for Media Maintenance Technician (592F).
2. DOP Class Specification for Information Technology Specialist 2 (479J).
3. DOP Class Specification for Broad Cast Technician (201F).