



**STATE OF WASHINGTON**  
**OFFICE OF THE STATE HUMAN RESOURCES DIRECTOR**

DIRECTOR'S REVIEW PROGRAM  
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March 30, 2012

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

FROM: Kris Brophy, SPHR  
Director's Review Investigator

SUBJECT: Dolores Blas-Cazares v. Washington State Patrol (WSP)  
Allocation Review Request ALLO-11-050

**Director's Determination**

This position review was based on the work performed for the twelve-month period prior to June 21, 2011, the date WSP Human Resources received the request for a position review. As the Director's Review Program 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 Ms. Blas-Cazares's assigned duties and responsibilities, I conclude her position is properly allocated to the Communications Officer 2 classification.

**Background**

In accordance with WSP internal procedures, on June 20, 2011, Ms. Blas-Cazares completed, signed and gave her supervisor, Ms. Carri Gordon, Communications Officer 4, an agency Interoffice Communication (IOC), requesting her Communication Officer 2 (CO 2) position be reallocated to Communication Officer 3 (CO 3) (Exhibit B-4). Mr. Mark Layhew, Communications Division Administrator and Ms. Blas-Cazares's second-level supervisor, submitted the request to WSP Human Resources Division (WSP-HRD) on June 21, 2011 (Exhibit B-5).

WSP HRD reviewed the existing Position Description Form (PDF) on file for Ms. Blas-Cazares's position (Exhibit B-8) and her submitted IOC, and notified her on September 1, 2011 that her position was properly allocated as a Communications Officer 2 (Exhibit B-1).

On September 30, 2011, the Department of Personnel received Ms. Blas-Cazares's request for a Director's review of WSP's allocation determination (Exhibit A-1).

On February 7, 2011, I conducted a Director's review conference. Present during the meeting were Dolores Blas-Cazares, Mark Layhew, Communications Division Administrator, Yvette Jones, WSP HR Program Manager, and Melodie Wulfekuhle, WSP HR Consultant.

### **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**

Ms. Blas-Cazares is the WSP Communications Division's Assistant Training Program Manager. Her position is located in the Communications Division Headquarters office at the WSP.

Ms. Blas-Cazares's duties and responsibilities are described in the PDF for her position (Exhibit B-8). The primary focus of her position is to assist the agency's Communications Training Manager provide radio communications training at the Academy for WSP Communications Officers, WSP Trooper Cadets and Commercial Vehicle Officers, and other agency WSP radio network users including law enforcement and other personnel.

Ms. Blas-Cazares assists the Training Program Manager develop and maintain the communications training curriculum and training manuals. She provides occasional back-up assistance as a Communications Officer to WSP local area district communication centers as needed.

The duties for Ms. Blas-Cazares's position are described in the PDF as follows:

- 50% Instruct and or facilitate internal and external employees to learn key work activities to achieve proficiency in key functions.
- 10% Plan, develop, coordinate and implement the Communications Division Training Program.
- 10% Update lesson plans and prepare examinations for internal and external customer training.
- 10% Perform duties of a CO2 as assigned.
- 5% Schedule courses, dorms, classrooms, instructors and enroll students in coordination with Station Managers and Academy staff to support training programs.
- 5% Update Division Communications Manual, Trainer Manual, Trainees Workbook, and WSP Emergency Procedures as needed.

- 3% Assess training needs of the Division and evaluate curriculum, on-the-job-training program and sustainment training.
- 2% Research, coordinate and/or prepare recurring or as requested reports, briefings or other assignments.

During the review conference, Ms. Blas-Cazares stated the duties described in the PDF did not fully reflect the scope of her current duties. She clarified that her position spends approximately 25% of the time scheduling and conducting all regional "Phase 1" testing for new communications officer positions. This includes administering tests, documenting test scores and providing applicant lists to WSP HRD after each testing session.

Ms. Carri Gordon, CO 4, signed Ms. Blas-Cazares's IOC on June 21, 2011 (Exhibit B-4). Ms. Gordon indicated on the document that she recommended approval of Ms. Blas-Cazares's request. Mr. Mark Layhew, Communications Division Administrator, forwarded the request to WSP Human Resources Division (WSP-HRD) on June 21, 2011 and also indicated that he recommended approval of Ms. Blas-Cazares's request (Exhibit B-5).

#### Summary of Ms. Blas-Cazares's Perspective

Ms. Blas-Cazares asserts the scope of her duties and level of work she performs as the Assistant Training Manager are equivalent to the level of work performed by CO 3's at District Communication Centers. Ms. Blas-Cazares asserts her work is equivalent to CO 3's which function and serve as Communications Training Officers (note: WSP functional title) for their employees.

Ms. Blas-Cazares contends she also functions as a supervisor at the Training Academy by monitoring all activities and providing supervision, direction and guidance to ensure their compliance with established goals, procedures, and regulations. Ms. Blas-Cazares asserts she supervises trainees (including evaluating their performance and recommending action for those not meeting standards) while they are assigned to the WSP Training Academy. Ms. Blas-Cazares contends she participates and is included in the decision making process for policy and procedure changes, and is responsible for the agency's Communications Manual. Ms. Blas-Cazares performs the duties of the CO4 Training Manager, Ms. Gordon, when she is absent.

Ms. Blas-Cazares contends there is a Commercial Vehicle Enforcement Officer (CVEO) position assigned to the WSP Training Academy that does not supervise but is allocated to the CVEO 3 class. Ms. Blas-Cazares contends she scores promotional examinations for CO 2 positions which is work that is out of class for her level of position. Ms. Blas-Cazares asserts she is the only CO2 to attend bi-annual communications training officer meetings which consist of all CO3's.

#### Summary of WSP's Reasoning

WSP asserts Ms. Blas-Cazares's position does not meet the basic requirement of the CO 3 class of performing supervisory and operational duties as a shift supervisor of a communications center or as a Computer Aided Dispatch (CAD) system coordinator. WSP asserts Ms. Blas-Cazares's position does not have supervisory responsibility for hiring

personnel, evaluating performance, resolving grievances, taking corrective action, or approving leave requests.

WSP asserts Ms. Blas-Cazares's work evaluating student performance while training students at the Academy is equivalent to a CO 2 level trainer in a communications center who produces training progress reports on employees rather than conducting annual, probationary, and trial service performance evaluations as a supervisor at the CO 3 class level.

WSP asserts the percent of time Ms. Blas-Cazares spends training is higher than a typical CO2 in a Communications Center but is equivalent to the same type of training duties performed. In total, WSP asserts Ms. Blas-Cazares's position is properly allocated to the CO 2 class.

#### 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.

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 Byrnes v. Dept's of Personnel and Corrections, PRB No. R-ALLO-06-005 (2006), the Board held that "[w]hile 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." Citing to Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

#### Comparison of Duties to Communications Officer 3

The Definition for this class states:

Performs supervisory and operational duties as a shift supervisor of a communications center or as the Computer Aided Dispatch (CAD) system coordinator for the Communications Section within the Washington State Patrol.  
[Emphasis added]

There are no Distinguishing Characteristics for this class.

The Office of the State Human Resources Director's (OSHRD's) Glossary of Classification Terms defines a supervisor as:

An employee who is assigned responsibility by management to participate in all of the following functions with respect to their subordinate employees:

- Selecting staff
- Training and development
- Planning and assignment of work
- Evaluating performance
- Resolving grievances
- Taking corrective action

Participation in these functions is not routine and requires the exercise of individual judgment.

The PRB provides further guidance on the definition of supervision. The PRB determined that “[s]upervision of an organization typically includes setting organizational goals, developing plans to meet goals and objectives, developing policies and procedures, preparing budgets, adjusting and authorizing expenditures, controlling the allocation of program resources, and the supervision of staff.” Dawson v. South Puget Sound Community College, PRB Case No. R-ALLO-08-001 (2008).

Ms. Blas-Cazares’s position does not meet the requirements of the definition of this class. As confirmed by her supervisor and other WSP management, Ms. Blas-Cazares does not supervise employees, nor does she have supervisory responsibility for planning, organizing, directing and coordinating operations as a shift supervisor for a communications center as required.

During the review conference, Ms. Jones stated that while Ms. Blas-Cazares leads student activities while providing radio communications training at the WSP Academy, she does not have delegated supervisory authority over those positions while they are in training status. She clarified that the employees report to their supervisors while attending training at the Academy.

Additionally, while Ms. Blas-Cazares facilitates student learning by directing student learning activities which include providing performance feedback and evaluation while training, this is not equivalent to performing the designated functions of a supervisor. The functions of a supervisor include selecting and training staff, planning and assigning work, evaluating performance, resolving grievances, and taking corrective action. Ms. Blas-Cazares does not perform the functions of a supervisor while training students at the Academy. Ms. Blas-Cazares’s responsibilities are more accurately described as providing primary on-the-job training to employees and facilitating student learning as the Division’s Assistant Training Program Manager.

In total, Ms. Blas-Cazares’s responsibilities for providing student training at the WSP Academy do not reach the CO 3 level of responsibility of performing supervisory and operational duties as a shift supervisor of a communications center. Her duties do not include planning, organizing, directing and coordinating a communications center’s operations; assisting in the development of policies and budgets; adjusting and authorizing expenditures; controlling the allocation of program resources; and the supervision of staff. For these reasons her position should not be allocated to the Communications Officer 3 class.

#### Comparison of Duties to Communications Officer 2

The Definition for the Communications Officer 2 classification states:

In a communications center, is a lead operator over Communications Officers 1, assumes responsibility for the operation of a shift in the absence of a Communications Officer 3, and performs operational duties. Transmits, receives, and relays information by means of radio, telephone, and various forms of telecommunications including computer system.

The Office of the State Human Resources Director's (OSHRD's) Glossary of Classification Terms defines a lead as:

An employee who performs the same or similar duties as other employees in his/her work group and has the designated responsibility to regularly assign, instruct, and check the work of those employees on an ongoing basis.

Although the Typical Work statements are not allocating factors, they do provide support to the scope and level of responsibility intended for the classification. The following Typical Work statements further identify the expected level of work in this classification:

- Assists the shift supervisor with the operation of a shift by keeping the shift supervisor apprised of emergency or unusual incidents in progress and by taking control of the radio during these incidents when necessary;
- Assumes complete responsibility for the operation of the center on a shift in the absence of a shift supervisor, providing control, direction, and guidance to all personnel and keeping command personnel informed as necessary, provides the shift supervisor with documentation on personnel work performances during the shift supervisor's absence;
- Acts as primary trainer for on-the-job training given to new employees;
- Operates a multi-frequency radio console, multi-line telephone system, computer terminal, telefax machine, typewriter, private line intercom system and other data recording equipment.

[Emphasis added]

While Ms. Blas-Cazares works in an agency-unique position serving as the Communications Division's Assistant Training Program Manager, the overall level of responsibility assigned to her position is consistent with duties described by this classification. The primary focus of her position is equivalent to an incumbent in this class who provides individual radio communications and other on-the-job training for a new employee in a communications center.

Ms. Blas-Cazares provides occasional back-up assistance as a Communications Officer to WSP local area district communication centers as needed. In that capacity she functions as the lead operator over Communications Officers.

Ms. Blas-Cazares assists the Training Program Manager in the administration of the Communications Division's Training Program. She assists in developing and maintaining the training curriculum and related manuals. She also assists in the development and improvement of WSP radio communications procedures and performs other administrative functions to support her supervisor, the Communications Training Program Manager. During the review conference, Ms. Blas-Cazares stated she provides support to her supervisor regarding the administrative aspects of program operations such as scoring promotional examinations, recommending changes to the Communications and Training Manuals, and performing other

training-related activities including tracking and reporting student training information to management personnel.

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

Additionally, positions are to be allocated to the class which best describes the majority of the work assignment. Ramos v DOP, PAB Case No. A85-18 (1985).

Ms. Blas-Cazares's overall level of responsibility and decision making authority, as well as her responsibility for coordinating administrative processes and reporting functions for the WSP Communications Training Program, fit within the Communications Officer 2 classification.

In this case, the majority of the duties assigned to Ms. Blas-Cazares's position and her level of responsibility and delegated authority are best described by the Communications Officer 2 classification. Her position should remain allocated 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.

You may file in person at 521 Capitol Way South, Olympia, Washington. Fax number (360) 586-4694. For questions, please call (360) 664-0388.

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

c: Dolores Blas-Cazares, WSP  
Yvette Jones, WSP  
Lisa Skriletz, OSHRD

Enclosure: List of Exhibits

**DOLORES BLAS-CAZARES v WSP**  
**ALLO-11-050**

List of Exhibits

A. Dolores Blas-Cazares Exhibits

1. September 26, 2011 letter from Dolores Blas-Cazares requesting Director's Review, received by Department of Personnel on September 30, 2011
2. Copy of WSP reallocation determination memo from Ms. Yvette Jones to Dolores Blas-Cazares, dated September 1, 2011
3. Interoffice Communication (IOC) reallocation request memo from Dolores Blas-Cazares to WSP, dated June 20, 2011
4. Table prepared by Dolores Blas-Cazares comparing CO3 and CO4 duties

B. WSP Exhibits

1. WSP reallocation determination memo from Ms. Yvette Jones to Dolores Blas-Cazares, dated September 1, 2011
2. Desk audit notes report from Melodie Wulfekuhle to Yvette Jones signed August 31, 2011
3. Communications Division Organizational Chart dated October 2011
4. Interoffice Communication position reallocation request memo (IOC) from Dolores Blas-Cazares to Carri Gordon received by WSP HRD June 21, 2011
5. Recommendation of reallocation request memo dated June 21, 2011 from Mark Wilton to Mark Layhew (Note: Includes handwritten approval and notation to forward to WSP HRD)
6. Email from Amber Robertson to Mark Layhew acknowledging receipt of Ms. Blas-Cazares position review request
7. Email chain discussing reallocation and Ryan Wiese promotion to CVEO3
8. Position Description Form (PDF) for Dolores Blas-Cazares's position dated August 19, 2010 labeled "working copy"
9. A copy of a standard WSP PDF for a CO 2 position
10. A copy of a standard WSP PDF for a CO3 position
11. Email from Ms. Blas-Cazares to Melodie Wulfekuhle dated July 21, 2011 regarding the desk audit (1 page)
12. Desk Audit Questionnaire notes for supervisor, Carri Gordon, conducted by Mel Wulfekuhle
13. Desk Audit Questionnaire notes for supervisor Carri Gordon conducted by Yvette Fabregas
14. Desk Audit Questionnaire notes for Ms. Blas-Cazares conducted by Yvette Fabregas
15. Desk Audit Questionnaire notes for Ms. Blas-Cazares conducted by Mel Wulfekuhle
16. A copy of the DOP Glossary of Classification Terms (5 pages)



17. WSP HRD Employee reallocation checklist for Dolores Blas-Cazares position review
18. A copy of handwritten notes dated July 1, 2011

C. Class Specifications

1. DOP Class Specification for Communications Officer 2 (451G)
2. DOP Class Specification for Communications Officer 3 (451H)
3. DOP Class Specification for Social Services Training Specialist (351J) (Note: This class was referenced in WSP position review)