



STATE OF WASHINGTON
OFFICE OF THE STATE HUMAN RESOURCES DIRECTOR
DIRECTOR'S REVIEW PROGRAM
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March 26, 2013

TO: Inti Tapia, Council Representative
Washington Federation of State Employees (WFSE)

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

SUBJECT: Mary Hougan v. Department of Agriculture (AGR)
Allocation Review Request ALLO-12-007

On November 2, 2012, I conducted a Director's review telephone conference regarding the allocation of Mary Hougan's position. In addition to you and Ms. Hougan, Human Resources Consultant Barbara Hoff participated in the conference on behalf of Department of Agriculture (AGR).

After the Director's review conference, the parties followed up with email correspondence from November 2, 2012 through November 9, 2012.

Director's Determination

This position review was based on the work performed for the six-month period prior to November 1, 2011, the date AGR's Human Resources (HR) Office received Ms. Hougan's Position Review Request (PRR). 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. Hougan's assigned duties and responsibilities, I conclude her position is properly allocated to the Administrative Assistant 4 classification.

Background

Ms. Hougan's position is assigned to the Weights & Measures/Commission Merchants Program within the Plant Protection Division at AGR. She reports directly to the Weights & Measures Program Manager, Jerry Buendel, who is in a Washington Management Service (WMS) Band 2 position. Mr. Buendel reports directly to the Assistant Director of Laboratory Services, Mary

Toohey. Ms. Hougan also supports the Agriculture Investigations and Motor Fuel Quality Programs, and she provides support to an Investigator 3 position that reports directly to Mr. Buendel regarding Commission Merchants. In addition, Ms. Hougan supervises three Customer Service Specialist (CSS) positions, ranging from the CSS 1 to CSS 3 level (Exhibit B-3).

On November 1, 2011, Ms. Hougan completed and signed a PRR asking that her Administrative Assistant 4 (AA 4) position be reallocated to the Program Specialist 4 (PS 4) classification (Exhibit B-2). Although her supervisor, Mr. Buendel, did not sign the PRR, both Ms. Hougan and Ms. Hoff indicated there was no disagreement regarding the description of duties on the PRR. Ms. Hougan also completed a Position Description Form (PDF), dated November 1, 2011, that requested her position be reallocated to the PS 4 classification and submitted it to AGR's HR Office at the same time she submitted the PRR. However, there is no signature page for the PDF (Exhibit B-1).

On January 4, [2012], Ms. Hoff issued a letter denying Ms. Hougan's request for reallocation. Specifically, Ms. Hoff concluded that while Ms. Hougan had responsibility for leading and directing certain sections of the Weights & Measures and Commission Merchants Programs, she did not manage the programs as a whole. Therefore, Ms. Hoff determined Ms. Hougan's position was appropriately allocated to the AA 4 classification (Exhibit A-2).

In her allocation decision letter, Ms. Hoff indicated that she would be willing to meet with Ms. Hougan and conduct a desk audit (Exhibit A-2). Ms. Hoff subsequently met with Ms. Hougan on January 26, 2012, to conduct a desk audit. Ms. Hougan then completed a second, revised PRR on January 31, 2012, based on the discussion during the desk audit (Exhibit C-1).

During the Director's review conference, Ms. Hoff indicated that she had been in the process of conducting a second review based on information from the desk audit and the second PRR when Ms. Hougan filed her request for a Director's review, which the Office of the State Human Resources Director (OSHRD) received on February 1, 2012.

On April 9, 2012, Ms. Hoff informed the Director's Review Program that she had performed a second review of Ms. Hougan's position and stood by her initial January 4, 2012, decision.

Summary of Ms. Hougan's Perspective

Ms. Hougan asserts she works under administrative direction and that her position has been recognized within the agency as the specialist for three specific programs: Weights and Measures; Agriculture Investigations; and Motor Fuel Quality Programs. Ms. Hougan contends each program has specialized components that have statewide impact. She further contends that she administers, oversees, and directs all program activities and that she advises public entities and higher level administrative staff on six different program components.

Ms. Hougan asserts one of her primary responsibilities is to administer the licensing and registration components for the Weights & Measures and Agricultural Investigations Programs. Each regulatory program has different compliance requirements, fee schedules, fund codes, RCWs and WACs. She states that she interprets the laws and rules associated with these program components and ensures compliance is met before a license or registration is issued by office staff. Ms. Hougan asserts she has delegated decision-making authority to determine compliance with licensees or issue enforcement actions to gain compliance.

Ms. Hougan states another major part of her job is to oversee the Motor Fuel Quality Program. This program ensures consumers are receiving the type of fuel purchased. The program also monitors various fuels types to ensure products meet national standards for safety and quality. Ms. Hougan contends she interprets quality standard results for motor fuel and that she has responsibility for tracking fuel samples and analyzing and interpreting results according to American Society for Testing and Materials (ASTM) standards. Ms. Hougan states that she produces enforcement documents, audits invoices and provides her supervisor, stakeholders, businesses and the general public with technical information regarding the Fuel Quality Program.

In addition, Ms. Hougan indicates she assists in the development of biennium budget allotments for seven different fund codes, approves all invoices and codes them to the appropriate program, and ensures monthly expenditures are consistent with budget allotments. She further states that she generates budget reports for the Program Manager and Investigator and that she is responsible for reconciliation of incorrect coding made by the fiscal office.

(See exhibits A-1 and A-3 for Ms. Hougan's written statements).

Summary of AGR's Reasoning

AGR recognizes Ms. Hougan's work is extremely important and valuable. AGR further acknowledges that her supervisor, the Program Manger, relies on her to perform administrative tasks in support of the Weights and Measures and Commission Merchants programs, including oversight of licensing and registration. However, AGR asserts Ms. Hougan's position has been assigned the responsibility for managing paperwork and processes but not managing the programs as a whole. Instead, AGR states Ms. Hougan assists the Program Manager by handling administrative tasks that he has delegated to her position to perform.

AGR contends the decisions Ms. Hougan makes are within specific guidelines, for example, issuing a 30-day late notice or notice of correction letter. AGR emphasizes the determinations regarding customer license and registration issues are within prescribed processes, though AGR agrees her position is required to understand the related laws and regulations. In addition, AGR recognizes there are technical aspects related to the Motor Fuel Quality Program. However, AGR contends Ms. Hougan's responsibility involves looking up information in a manual and verifying results rather than interpreting those results the majority of the time.

In summary, AGR contends that while Ms. Hougan oversees and directs some program activities such as accounts receivable, bonding, coordination of the adjudicative process and contracting process, as well as managing and supervising staff performing program tasks, the responsibility for managing all program activities rests with her supervisor, as the Program Manager. AGR also points out that while Ms. Hougan does advise the public and her own staff on program issues, she has not been assigned the responsibility for advising higher-level administrative staff on specific program components.

AGR asserts that some of Ms. Hougan's duties fit into the AA 3 class as well and potentially the Program Specialist 3, but AGR contends her duties and responsibilities do not reach the Program Specialist 4 class level. Overall, AGR contends the AA 4 class best fits the overall duties and responsibilities of her position and aligns with the organizational structure as well.

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. Hougan's position is located within the Plant Protection Division, which is comprised of the following sections: Weights & Measures/Commission Merchants Program; Yakima Chemistry Lab/Program; Plant Services; and Pest Program. Each section is managed by a WMS position reporting directly to the Division's Assistant Director, Mary Toohey. Each section has either an AA 4 position and/or clerical and secretarial support reporting directly to the WMS Program Manager. Ms. Hougan's position reports directly to WMS Program Manager Jerry Buendel (Exhibit B-3).

In summary, the position objective for Mr. Buendel's position states that he prioritizes goals, allocates program budgets, and provides supervisory oversight of professional, technical and clerical staff of a program that encompasses three major functional areas. The Weights and Measures Program promotes marketplace equity in commercial transactions through testing and inspecting commercial devices, price verification, package inspection, public education, monitoring fuel quality and investigating complaints. The Weights and Measures Program also establishes biofuel standards that protect producers, distributors and buyers of biofuels. The Commission Merchants Program enforces state laws and investigates complaints to protect producers, buyers and sellers of agriculture products against improper activities [Agriculture Investigations] (Exhibit B-5).

Ms. Hougan's position reports to the Program Manger and directly supports the agency and program missions by providing support to Weights and Measures and Agricultural Investigations Programs and by supervising two other support staff (Exhibit C-1, position purpose).

Ms. Hougan described the three program components as Weights and Measures, Agricultural Investigations, and Motor Quality Fuel Quality Programs.

She stated that one of her primary responsibilities involves administering the licensing and registration components for the Weights & Measures and Agricultural Investigations Programs. She summarized the components of Weights & Measures, in part, as follows (Exhibit A-3):

- 1. Device Registration Program:** ensures every weighing and measuring device used for commercial purposes is registered with the state annually. The main devices are gas pumps and scales.

- 2. Service Agent Registration Program:** regulates devices that have been rejected by the program's inspectors. Businesses are not allowed to put a rejected device back in service unless it has been repaired by a service person registered with the state.
- 3. Weighmaster Licensing Program:** in order to issue a certified weight ticket in the State of Washington, businesses must license as a Weighmaster, which is required to license each individual weigher who operates the scale. Each Weighmaster is issued a unique seal impression which certifies the weight is correct.

She further stated that another major component of her job is to oversee the Motor Fuel Quality Program to ensure customers are receiving the type of fuel purchased. The program monitors various fuel types to ensure products meet national safety and quality standards.

Ms. Hougan indicated that all programs are developing web based systems, which she oversees and serves as a primary contact for the vendors. Each program follows specific laws and rules, which Ms. Hougan is required to understand and explain to customers.

The documents describing Ms. Hougan's duties and responsibilities include the following:

- Position Description on file, signed May 30, 2008 (Exhibit C-5).
- November 1, 2011 Position Description, completed by Ms. Hougan (Exhibit B-1).
- November 1, 2011 PRR, completed by Ms. Hougan (Exhibit B-2).
- January 31, 2012 PRR, completed by Ms. Hougan after the desk audit (Exhibit C-1).

Neither of the PRRs contains supervisory signatures; however, Ms. Hoff indicated there had been no disagreement about the duties described. She also noted that the May 2008 Position Description was outdated and did not include all of Ms. Hougan's duties.

During the Director's review conference, Ms. Hoff stated that she gave the most consideration to the revised PRR, which Ms. Hougan completed after the desk audit and prior to Ms. Hoff reconsidering her initial decision.

The following summarizes the duties Ms. Hougan described on the revised PRR (Exhibit C-1):

55% Commission Merchants, Service Agent and Weighmaster licensing and device registration programs, including the following:

- Insure licensing and renewals are accomplished on a timely basis and that all requirements are met before licenses are issued.
- Prepare notices of correction and notices of intent in cases where enforcement is required.
- Be a resource to staff and be available to make decisions in complex and difficult cases and explain complex program issues.
- Recommend solutions to controversial resource conflicts and anticipate potential conflicts and attempt resolutions before a problem occurs.
- Exercise independent judgment and have delegated decision making authority for the three licensing programs and device registration issues.
- Interpret and advise staff and public on related RCW and WAC's.
- Determine if laws policies, procedures, and standards are being followed

- Prepare civil penalties for Assistant Director's signature.
- Resolve conflicts related to the program by communicating with office staff and field employees on specific procedures to remain consistent throughout the state.
- Develop and maintain computerized information to track and monitor licensing renewals, insure bonding requirements, outcome of court hearings, payment of infractions, and correct device registrations are met.
- Responsible for managing adjudicative proceedings.
- Prepare and maintain administrative reports, records, and comprehensive plans.
- Develop and coordinate special projects such as internal audits and implementation of new web based database; manage, develop, and maintain program web presence.
- Represent program manager at meetings regarding administrative policy matters.
- Develop, revise, implement and administer program specific policies, procedures, practices, and set standards for existing and new program functions.
- Participate in strategic planning and establishing plans and performance goals.
- Work with Office of Attorney General regarding pending litigation and enforcement documents.
- Manage program fleet and fuel card use for field employees.
- Responsible for reconciliation statements and annual performance reports.
- Coordinate and delegate purchasing of equipment and supplies for programs, maintain service contracts for office and field equipment, and authorize equipment repair.
- Ensure contract deliverables are met and close contracts.
- Prepare and track billings and invoices associated with program contracts.
- Determine contracting process, ensure process is followed correctly, and assist division coordinator with contracting issues.
- Provide leadership and maintain working relationships with internal staff and external industries and associations.

25% Motor Fuel Quality Program

- Analyze samples out of tolerance.
- Provide program technical information to supervisor, stakeholders, and public.
- Process billing and invoices for laboratory sample and fuel testing supplies.
- Perform regular audits of invoices and certificates of analysis for compliance with ordering and contract requirements.
- Update and review surveillance plan at least quarterly.
- Interpret lab results and prepare enforcement documents for program manager.
- Schedule semiannual meetings with fuel quality program leaders.
- Provide leadership and maintain working relationship with contractual lab.
- Support efforts to resolve issues associated with previous contract for lab services.

The remaining duties include assisting in the development of biennium budget allotments and supervising program clerical staff.

In addition to the duties described above, I reviewed the examples of work described in Exhibits B-12 and C (see further explanation of documents in exhibit list for exhibit C).

The examples of work demonstrate work that includes identifying device manufactures by type (meter or scale) and using databases and other software to access and export information

related to device manufactures; reviewing registrations and confirming Weighmaster certifications; tracking calibration reports and other reports and ensuring the appropriate paperwork has been filed with regard to licensing and registration; responding to public disclosure requests and other requests for program information; serving as the point of contact for program database projects; ensuring test panels are performed and correctly invoiced; issuing warning letters and notices of correction; tracking and following up on paperwork for rejected devices; reviewing and processing paperwork related to bonding; assisting with processing complaints and investigations; performing fuel sample audits; managing and tracking budget allotments; and supervising staff who perform these program tasks.

In addition, Ms. Hougan provided examples of the manuals she works with to accomplish specific tasks, which include the Weighmaster Weigher Registration Procedures (Exhibit C-22); Agricultural Investigations Manual (Exhibit C-41); Annual Book of ASTM Standards (Fuel standards - Exhibits C-54-56); and Specifications and Uniform Laws and Regulations for Weighing and Measuring Devices (Exhibits C-57 – 58).

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.

The Class Series Concept for the **Program Specialist** series states the following:

Positions in this series coordinate discrete, specialized programs consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Positions coordinate program services and resources; act as a program liaison and provide consultation to program participants and outside entities regarding functions of the program; interpret, review and apply program specific policies, procedures and regulations; assess program needs; and develop courses of action to carry out program activities. Program coordination also requires performance of tasks and application of knowledge unique to the program and not transferable or applicable to other areas of the organization.

Ms. Hougan's position reports to a Program Manager for the Weights & Measurements and Commission Merchants programs, which contain specific registration and licensing requirements, and she also assists her supervisor in managing the Motor Fuel Quality Program. The specific components and tasks meet the definition of program.

The Program Specialist 4 (PS 4) definition states, in part, the following:

Positions at this level work under administrative direction, and have organization-wide program management responsibilities, and are recognized as program specialists. For programs with statewide impact, incumbents are specialists who manage two or more components of the program. Incumbents administer, oversee, and direct all program activities and advise public entities and higher level administrative staff on the program components. Program components are comprised of specialized tasks (e.g., reservations, administration, and budget coordination) within a specialty program.

Incumbents provide and coordinate program activities affecting an essential service within the organization or activities with statewide impact. Incumbents perform a wide scope of complex duties and responsibilities in the management of a program, exercise independent judgment, and have delegated decision-making authority. . . .

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. The PS 4 typical work examples include responsibilities at a level that determines priorities and sets objectives, as well as develops, revises, implements, interprets, and administers program specific policies, procedures, practices, and sets standards for existing and new program activities.

While Ms. Hougan sets priorities and develops and implements processes for her staff in accomplishing the work of the programs and she participates in strategic planning and assists in creating program goals and policies, incumbents in PS 4 positions work under administrative direction, including the responsibility to independently plan, design, and carrying out programs and projects. In this case, the Program Manager retains overall responsibility for managing these programs as a whole. Therefore, the level of responsibility assigned to her position does not reach the PS 4 level.

The Program Specialist 3 (PS 3) definition states, in part, the following:

Positions at this level work under general direction and typically have organization-wide program responsibility. For programs with statewide impact, incumbents are specialists who manage one component or assist higher levels in two or more components of the program. . . . Program components are comprised of specialized tasks (e.g., reservations, administration, and budget coordination) within a specialty program. Incumbents assist higher-level staff by coordinating all aspects of program services, providing technical assistance and specialized, consultation to program participants, staff and outside entities, and recommending resolution for complex problems and issues related to the program. Incumbents assess program participants' needs and develop specialized services and training unique to the program and are responsive to the needs of participants.

There are aspects of Ms. Hougan's work that reach the PS 3 definition. During the Director's review conference, she indicated the duties she performs for the Motor Fuel Quality Program had previously been performed by a Community Trade & Economic Development (CTED) position. When reviewing those specific duties, some of Ms. Hougan's duties involve tasks specific to the program, such as analyzing test results, while others are administrative in nature. When reviewing Ms. Hougan's duties and responsibilities in total, the primary focus of her position is to provide administrative support to the Program Manager in carrying out the daily functions of each program.

The Program Specialist 2 (PS 2) definition states, in part, the following:

Positions at this level work under general supervision and plan, organize, direct and coordinate operations for programs . . . Incumbents oversee day-to-day program operations, function as the program representative and resource, have extensive contact with program participants and outside entities, and resolve problems within a delegated area of authority. Unusual problems, probable outcomes and solutions are presented to

higher levels for resolution. Incumbents may be delegated limited authority to approve budget expenditures and may assist higher-level staff with developing and coordinating statewide program activities.

When considering Ms. Hougan's duties and responsibilities overall, the majority better aligns with the PS 2 definition, while some of her duties reach aspects of the PS 3 level. However, since the primary focus of Ms. Hougan's position is to provide administrative support to the Program Manager, the Administrative Assistant series provides the best fit overall.

The **Administrative Assistant 3 (AA 3)** definition states that "[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."

Further, the AA 3 distinguishing characteristics indicate that such 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 . . ."

A major program activity is defined as a function that is a major element of the supervisor's job. . . .

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.

The duties and responsibilities assigned to Ms. Hougan's position are encompassed in the AA 3 class definition because she has been delegated higher-level administrative support duties and program activities in support of her supervisor, duties which he ultimately has responsibility for as the Program Manager. However, when considering her overall level of responsibility, including the size and scope of the program functions she regularly coordinates and oversees, as well as the overall organizational structure, the AA 4 level is a more appropriate fit.

The **Administrative Assistant 4 (AA 4)** definition states, in part, "[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 . . ."

The **AA 4** distinguishing characteristics include the following:

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.

For those positions in a major organizational unit . . . positions serve as the sole administrative support in an organization that has institution-wide responsibilities . . .

While not exact, the **AA 4** typical work examples that best align with Ms. Hougan's duties and responsibilities include the following:

- Develops budget estimates, monitors, and controls budgets from a variety of sources such as state, grants, contracts, service fees . . . Participates in establishing short and long-term fiscal plans and performance goals;
- Prepares annual reports and resolves contractual issues;
- Authorizes equipment repair/renovation;
- Participates in strategic and quality planning process;
- Coordinates with program managers and budget staff in preparing request packages and budget-related responses to the legislature;
- Conducts or supervises the preparation of studies or project summaries;
- Coordinates policy and agency matters within the agency and with other governmental agencies; investigates and coordinates operating methods and procedures with other various staff agencies; develops improved administrative methods;
- Coordinates administrative standards and procedures for independent departmental functions . . .;
- Establishes procedures and interprets and applies administrative policies to the work of the unit;
- Prepares correspondence for supervisor; exercises signature authority on administrative correspondence;
- Directs and/or coordinates special projects;
- Represents and/or communicates on supervisor's behalf at meetings, conferences, etc.; speaks for supervisor on administrative policy matters;
- May supervise other staff.

Ms. Hougan oversees program functions and activities and relieves the Program Manager of performing the administrative tasks for the Weights and Measures, Agriculture Investigations, and Motor Fuel Quality Programs on a statewide basis. The majority of her work involves administration of the Commission Merchants, Service Agent and Weighmaster licensing and device registration programs, and she supervises staff supporting these activities. Ms. Hougan manages and tracks biennium budget allotments, approves invoices and codes them to the appropriate program, and ensures monthly expenditures are consistent with budget allotments. Overall, she performs varied and complex work, makes decisions, and acts on behalf of the Program Manager as delegated. When considering the overall size and scope of her position's responsibility and where it fits within the organizational structure, the AA 4 provides 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 mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located on the 4th floor of the Insurance Building, 302 Sid Snyder Avenue SW, Olympia, Washington. The main telephone number is (360) 902-9820, and the fax number is (360) 586-4694.

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

c: Mary Hougan
Barbara Hoff, AGR
Lisa Skriletz, OSHRD

Enclosure: List of Exhibits

MARY HOUGAN v AGR
ALLO-12-007

A. Mary Hougan Exhibits

1. Director's Review Request received February 1, 2012 (page 1-3)
2. AGR allocation determination letter January 4, [2012] (page 1-2)
3. November 2, 2012 additional statement by Mary Hougan

B. AGR Exhibits

1. November 2011 Position Description submitted to HR for reallocation (page 1-4)
2. November 1, 2011 Position Review Request, no supervisor input (page 1-8)
3. Plant Protection Division Organizational Chart
4. Investigator 3/Investigations Supervisor October 2010 PDF
5. Weights & Measures/Comm Merchants Program Manager 2008 PDF
6. Program Specialist class series concept
7. Program Specialist 3 (107J)
8. Program Specialist 4 (107K)
9. Administrative Assistant 3 (105G)
10. Administrative Assistant 4 (105H)
11. Glossary of Classification Terms
12. Examples of work provided to HR by Ms. Hougan November 2011 (page 1-83)

C. Mary Hougan letter and exhibit list of additional exhibits submitted March 15, 2012:

1. 1/31/12 Position Review Request emailed to Ms. Hoff with recommended edits.
2. 1/30/12 Email from Ms. Hoff. Confirmed reallocation date.
3. 1/4/12 Email from Union Representative Judy Lumm. AGR HR response for non compliance within 60 day time frame.
4. 11/22/11 Email to Ms. Hoff. Checked the status of my request and offered to schedule desk audit.
5. 5/30/08 Current Position Description on file.
6. 1/17/12 Financial Reports for 7 different program codes. Ensure expenditures are coded correctly and consistent with allotments.*Desk Audit
7. 1/13/12 Fee Type Distribution Report. Ensure revenue sources are coded appropriately. *Desk Audit
8. 1/26/12 Quickbooks credit memo. Authorize credits to customers when appropriate. * Desk Audit
9. 1/26/12 DOT fuel expense report. Audit field inspectors mileage and approve monthly invoices.* Desk Audit
10. 11/4/11 Comdata Fuel Report. Audit fuel samples taken by inspectors. Verify samples sent to the laboratory for testing. Ensure correct product is recorded and approve and code monthly invoice. * Desk Audit

11. 1/12/12 Email to IT staff and Program Manager. Corrected program manager on coding of expenditures.* Desk Audit
12. 11/21/11 Updated Policy and Procedure for CashPay Visa Card. * Desk Audit
13. 11/21/11 Receipt of CashPay Visa Card. * Desk Audit
14. 12/1/11 Bank of America Primary Administrator Form. * Desk Audit
15. 1/24/12 Email to Luann Graydon. Approved reimbursement to business owner in addition to instructions for next steps to recover monies from appropriate business. * Desk Audit
16. 11/30/11 Email to Mr. Kim. Required business owner to pay past registration fees. *Desk Audit
17. 12/30/11 Notice of Correction. Issued NOC to customer. * Desk Audit
18. 9/7/11 Email from program manager agreeing with my decision to close a complaint and my instructions for follow up. * Desk Audit
19. 11/13/11 Email from Jerry Buendel. Program Manger thanked me for giving specific instructions on program procedures to field inspector. Desk Audit
20. 11/5/11 Email to office staff and inspector. Instructed staff on the next steps to take with a business owner not wanting to comply with device registration. Desk Audit
21. 11/22/11 Email to inspector. Instructed inspector of program policies in the field. Desk Audit
22. 11/3/11 Weighmaster Manual. Created manual for office staff. * Desk Audit
23. 12/28/11 Email to Hill Moving Company. Approved application and certified late fee is required. * Desk Audit
24. 12/16/11 Email to Garry Beachamp. Authorized certification prior to calibration reports submitted. *Desk Audit
25. 1/11/12 Email to Luann Graydon. Instructed employee of additional steps to take before closing out an service agent. Approved the closure of a service agent. * Desk Audit
26. 9/13/11 Email to Jerry Buendel. Informed supervisor that service agent gained compliance after I notified them of a possible civil penalty.* Desk Audit
27. 2/15/12 Designed new license card for certified service persons. * Desk Audit
28. 8/31/10 Created interview questions for several different job classes. Created tracking sheet to record results of interview team. Coordinate interviews and be on selection team. Have not had to hire a new employee in last 6 months. * Desk Audit
29. 12/28/11 Email to inspector. Approved payment for purchases. *Desk Audit
30. 1/13/12 Email from Jerry Buendel. Approved comp time for field inspector. *Desk Audit
31. 12/14/11 Notice of Intent No. WM-11-0003. Prepare Civil Penalty, Notice of Rights and Opportunity for a Hearing, and Notice of Correction for Assistant Director's signature. * Desk Audit
32. 8/18/11 Responsible for tracking inspectors with CDL licenses. Inform Work Safe Lab which employees need to be part of the random drug testing. Notify inspectors of selection and keeps results confidential. *Desk Audit
33. 7/20/10 Indemnity Agreement. Certified lost or damaged bonding coverage for Agricultural Investigations licensees. Have not had to certify agreement in last 6 months, but responsible if situation arises. * Desk Audit
34. 1/24/12 Letter regarding Certificate of Deposit. Authorized Bank of the West to release assignment of savings account for customer. * Desk Audit

35. 1/5/12 Journal entry in Agricultural Investigations database. Authorized 30 day extension to complete bonding coverage. * Desk Audit
36. 1/10/12 Letter to Mike DeTray. Informed complainant that complaint was received. Determined complaint was valid and assigned case number. * Desk Audit
37. 3/4/11 Bond Claim documents to seize bond. Created documentation to surety company for release of bond. Additional documents require complainants and fiscal office to disburse appropriate funds. Program averages 3 bond payouts per year. * Desk Audit
38. 3/3/11 Email from Kim Shriver granting access to JIS-Link System.* Desk Audit
39. 11/5/11 Infraction for \$831.00 for acting as livestock dealer without license. * Desk Audit

40. 11/28/11 JIS-Link confidential court system record of issued infraction. Track and and verify payment is deposited into correct program code.* Desk Audit
41. 10/13/11 Ag Investigations Manual. Team member on creating manual. Sole person responsible for updates. * Desk Audit
42. 12/23/11 Email from Jerry Buendel. Requested 2011 MFQ data ranging from blend ratios,out of spec results, retail and distributor information.* Desk Audit
43. 11/5/11 Email to Jerry Buendel and inspectors. Requested confirmation on lab results determined out of spec. Confirmed I was assigned the task of creating the warning letters. * Desk Audit
44. 12/16/11 Example of warning letter.* Desk Audit
45. 1/3/2012 December monthly report written by Jerry Buendel. I initiated and completed ASTM standards training with contracted lab. Also, documents the various program's enforcement actions. I create all NOC's for program manager's signature.* Desk Audit
46. 12/6/11 Email to inspector and Jerry Buendel. Field Report submitted by inspector. Lab result from lab. Instructed inspector to resubmit Field Report after MFQ audit on lab result and inspector findings were not correct.* Desk Audit
47. 1/4/12 Email to Karen Sanders. Instructed her on ordering additional MFQ supplies. Knowledge of MFQ supplies shelf life dates and budget costs. * Desk Audit
48. 1/13/12 Email correspondence with contracted MFQ Inspectorate lab. Requested clarification on ASTM D7371. * Desk Audit
49. 6/15/11 Biofuels Interest Group Meeting Minutes. Participated in industry meeting. Required to conduct research and follow up with participants to create meeting minutes. * Desk Audit
50. 6/2011 Biofuel Quality & Labeling Brochure. Created brochure with up to date NIST Handbook 130 specifications and ASTM standards.* Desk Audit
51. 11/2011 October Fuel Sample Audit. Monthly audit to determine lab used correct method for specific samples, inspectors reported and submitted correct paperwork, and invoice is correct. * Desk Audit
52. 1/1/12 Annual Laboratory Sampling Plan.Perform monthly audit on actual versus plan for MFQ sampling plan.Ensure correct product and panel is submitted to lab, and program expenses are within allotments.*Desk Audit
53. 7/26/11 State of WA Current Contract Information. Fuel Analysis Service contract for term period 3/18/11 through 3/17/2013. Document includes test

54. 2011 panel information that is referred to in monthly audits. * Desk Audit
Annual Book of ASTM Standards, Volume 5.01. Manual used to interpret MFQ lab results. Table of Contents provided, manual is over 1,000 pages. *Desk Audit
55. 2011 Annual Book of ASTM Standards, Volume 5.02. Manual used to interpret MFQ lab results. Table of Contents provided, manual is over 1,000 pages. *Desk Audit
56. 2011 Annual Book of ASTM Standards, Volume 5.03. Manual used to interpret MFQ lab results. Table of Contents provided, manual is over 1,000 pages. *Desk Audit
57. 2012 NIST Handbook 44. Handbook adopted under Chapter 16-662 WAC. * Desk Audit
58. 2012 NIST Handbook 130. Handbook adopted under Chapter 16-662 WAC. * Desk Audit
59. 2/13/12 Email To Rob Reed at Inspectorate. Requested correction be made on sample breakdown for MFQ Program.
60. 1/30/12 Email correspondence with Jerry Buendel. Informed supervisor of Motor Pool allotments in comparison with expenditures.
61. 2/3/12 Email to inspector. Approved 1 time fee for new phone for inspector.
62. 2/7/12 Email from Royal Schoen, Chemical and Hop Laboratory Program Manager. Confirmed my request to make budget adjustment to rental fee for a shared Pitney Bowes machine.
63. 2/8/12 Email to supervisor and office staff. Instructed staff and supervisor on procedures for unlicensed Weighmasters.
64. 2/15/12 Email correspondence with Agrimax International. Ensured customer had appropriate language written in their time deposits before authorizing license.
65. 2/15/12 Email from Shawn Yazdani. Denied customer waiving late fee.
66. 2/17/12 Email from Greg Knight. I corrected building rental fee and received reimbursement for program.
67. 2/23/12 Email from Greg Knight. I corrected him on an expenditure charge.
68. 2/24/12 Email from Rob Reed. Confirmed correction I identified was correct.
69. 3/2/12 Email to Mary Thygesen and William Pattison. Requested additional information on automatic budget withdraws for each program.
70. 3/6/12 Email to Greg Knight and Jeff Painter. Authorized program code for computer refresh program with DES.
71. 12/31/12 Performance and Development Plan Expectations.
72. 1/31/12 Performance and Development Plan Evaluation. Document included to indicate work performed in the last 6 months.

D. Director's Review Correspondence

1. April 9, 2012 email to Karen Wilcox, Director's Review Program, from Barbara Hoff, AGR, indicating she had completed her second review of Ms. Hougan's position and stood by her previous decision.
2. March 16 through April 20, 2013 email correspondence between Karen Wilcox, Director's Review Program, and the parties regarding AGR's reconsideration of the agency's allocation decision and process related questions.

- 3.** November 2, 2012, email from Mary Hougan with additional exhibits.
 - a.** March 12, 2012 letter to Director's review program regarding request for position review at AGR (Exhibit C cover letter).
 - b.** Performance & Development Plan for former CTED 3 position (informational purposes).
- 4.** November 5, 2012 email from Mary Hougan with additional exhibits.
 - a.** Comments regarding her position (additional employee statement in combination with exhibit A-3).
 - b.** Program Specialist 3 Position Description (informational only).
- 5.** November 6, 2012 email from Teresa Parsons to the parties in response to above emails and asking for clarification.
- 6.** November 6, 2012 email from Mary Hougan referencing document written by Kirk Robinson.
- 7.** November 6, 2012 email from Teresa Parsons asking for further clarification.
- 8.** November 6, 2012 email from Barbara Hoff regarding memo by Kirk Robinson and asking Mary Hougan to clarify.
- 9.** November 6, 2012 email from Mary Hougan regarding Kirk Robinson memo.
 - a.** Kirk Robinson memo regarding calibration reports.
- 10.** November 9, 2012 email from Teresa Parsons in response to additional information regarding audit of Service Agent and Weighmaster Programs.
- 11.** November 9, 2012 email from Mary Hougan clarifying audit period.