



STATE OF WASHINGTON  
OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM  
P.O. Box 40911 · Olympia, WA 98504-0911 · (360) 902-9820 · FAX (360) 586-4694

August 14, 2013

TO: Dave Walters

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

SUBJECT: Dave Walters v. Eastern Washington University (EWU)  
Allocation Review Request ALLO-12-067

On June 19, 2013, I conducted a Director's review telephone conference regarding the allocation of your position. In addition to you, Kim Davis, Human Resources Associate; Caren Lincoln, Human Resource Services Manager; your supervisor, Michael Davis, Construction Project Coordinator 4; and Shawn King, Associate Vice-President for Facilities and Planning participated on behalf of EWU.

**Director's Determination**

This position review was based on the work performed for the six-month period prior to September 10, 2012, the date you submitted your request for a position review to EWU's Human Resources (HR) Office. 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 your assigned duties and responsibilities, I conclude your position should be reallocated to the Construction Project Coordinator 3 (CPC 3) classification.

**Background**

On September 10, 2012, you submitted the Employee Portion of the Position Review Request (PRR) form to your HR Office asking that your Construction Project Coordinator 2 (CPC 2) position be reallocated to the Construction Project Coordinator 3 (CPC 3) classification (Exhibit B-3). Your supervisor, Michael Davis, and Associate Vice-President for Facilities and Planning, Shawn King, signed the Supervisor portion of the PRR disagreeing with portions of your request (Exhibit B-4). HR Associate Kim Davis audited your position, reviewed the PRR, and discussed your position's duties and responsibilities with you, Mr. Davis, and Mr. King.

On November 9, 2012, Ms. Davis issued an allocation decision, concluding that your position was properly classified as a CPC 2 (Exhibit B-1). In her decision, Ms. Davis indicated your position best fit the journey level of work described by the CPC 2 class. Ms. Davis determined "the majority of your job duties . . . focus on the day-to-day coordination of projects and a more

indirect involvement with cost estimation and forecasting.” She further determined that “you do not have full decision-making authority on your projects without consultation of a supervisor” and that your position does not have “responsibility for controlling or authorizing expenditures of funds without signature from someone with budget authority” (Exhibit B-1, page 6).

On December 7, 2012, the State Human Resources Director received your request for a Director's review of EWU's allocation decision (Exhibit A). The following summarizes your perspective as well as your employer's:

### **Summary of Mr. Walters' Perspective**

You assert that more than 50% of your duties fit the CPC 3 level, stating that you assumed added duties when senior level positions were not refilled. You contend the primary distinction between classes involves work in the preliminary design phase of a project at the CPC 3 level and work after the pre-design phase from contract through warranty during the construction phase at the CPC 2 level. You contend your position is involved with projects from the conception and pre-design phase through the construction phase and warranty. Because your position has significant involvement during the pre-construction phase as well, you assert your position's duties extend beyond CPC 2 level coordination. You assert your duties include “capturing concepts, creating a scope of work, cost estimating, and funding requirements,” as well as guidance on design review, general and supplemental conditions, cost analysis, permitting, scheduling, and bid proposals (Exhibit B-3, page 1). You emphasize that a major part of your work involves estimating and forecasting. While you acknowledge the AVP of Facilities and Planning retains final approval, you contend such approval applies to all project coordinators, including your supervisor and other project managers. Overall, you believe the CPC 3 class best describes your position's duties and scope of responsibility.

### **Summary of EWU's Reasoning**

EWU asserts the class series concept applies to all levels of the class series and therefore, the design phase applies to both the CPC 2 and CPC 3 levels. For this reason, EWU contends your involvement during the pre-design phase of a construction project is not a factor for allocating to the CPC 3 level. EWU acknowledges you review construction documents “in all phases of your projects” and “ensure compliance with design standards” (Exhibit B-1, page 3). EWU also acknowledges that you perform some work related to design and development that reaches the CPC 3 level. However, EWU contends that a number of duties described by the CPC 3 class also apply to the CPC 2 level with the CPC 3 class describing “a heavy focus on cost estimating . . .” (Exhibit B-1, page 4). Further, while EWU recognizes your position's autonomy and that “you are trusted for your experience and knowledge,” EWU contends “you do not have full authority over your duties,” which are delegated by a supervisor (Exhibit B-1, page 5) and approved by the AVP of Facilities and Planning. In total, EWU contends the majority of your position's duties involve work at the CPC 2 level, which occurs during the construction phase of assigned projects rather than design and development work. Therefore, EWU contends your position is properly allocated to the CPC 2 class.

### **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

Your position is in the Construction & Planning unit, and you and another CPC 2 position, both report to Mr. Davis, who is in a Construction Project Coordinator 4 (CPC 4) position. Mr. Davis reports to Mr. King, Associate VP for Facilities (Exhibit B-14).

During the Director's review conference, you emphasized that most of your projects involve the full scope of work from design conception through warranty. Mr. King explained that most projects under \$95,000 will be performed in-house, and you coordinate with the trade shops on campus for those jobs. Mr. King described complex projects as involving more than one trade. Larger projects turn into public works projects, and you coordinate with engineering consultants and architects (A/E) who actually perform the design work. Mr. King clarified that as a unit, Construction & Planning does not actually design; rather, positions in your unit review and coordinate with the consultants to accomplish the work. You indicated that you assist in the development of designs, including capturing customer requirements and providing guidance on designing to certain standards. Mr. Davis indicated that work on projects "ebbs and flows" but agreed that you spend a good portion of time working with a consulting team to get designs finalized. Mr. King agreed that you review the work of consultants, specify requirements, and make recommendations, and he noted that shop staff may add comment as well.

You, Mr. Davis, and Mr. King explained how work is distributed:

- 1) When someone on campus requests a construction project, the request goes through a committee, and once the project is approved a work order is assigned. As the supervisor, Mr. Davis then assigns the work order to you or your co-worker. Next, depending on the cost and scope of a project, you will either coordinate the work in-house with trade shops on campus or select a consultant from a roster of qualified consultants. Typically, you will then meet with Mr. Davis and Mr. King to discuss the project, and your position will draft preliminary paperwork including fee proposals and contracts. Mr. Davis clarified there is a library of documents you select from to use as templates. While documents are prepared using templates, you clarified that each proposal has unique elements that are not boilerplate.
- 2) Funded projects are part of a Master Plan. Your supervisor assigns projects from the Master Plan to you and your co-worker, and you described the work of these projects as full scope projects as well.

During the Director's review conference, your supervisor, Mr. Davis, indicated that you gather preliminary information and put initial costs and estimates together and then you typically meet as a group with Mr. Davis and Mr. King. Your work unit often collaborates on projects and individuals typically share any special expertise, for example, in a specific trade area. Ultimately, Mr. King has final decision-making authority on projects, and he gives direction prior to selecting a consultant. However, your position does make recommendations for selection of A/E consultants, and you review, evaluate, and direct the work of consultants and contractors (Exhibit B-5). Once Mr. King approves a contract, your position works autonomously with the

consultant, vendor, or foreman on the job site, and you have the authority to negotiate contract amendments and sign change order proposals, as well as release for payment on construction contracts and consultant agreements (Exhibit B-4, page 3 and B-3, page 4). In addition, your position is responsible for managing budgets assigned to specific projects (Exhibit B-5). Though you work independently, your supervisor is aware of your projects, and Mr. King retains final approval and decision-making authority for the unit, including execution of contracts.

In summary, you describe your position's purpose as managing and coordinating in-house single and multi-trade projects and representing EWU in managing capital projects, as well as collaborating with EWU constitutions in planning and developing the master plan. In addition, you indicate that you perform evaluation, contracting, and guidance of consultant A/E services and maintain and update design guidelines and standards (Exhibit B-3, page 2). Your supervisor emphasizes that the main reason for your position and primary job function is construction project management, not design development, forecasting or updating design guidelines and product standards (Exhibit B-4, page 3).

On the PRR you indicate that 50% of your time involves design and development, including selection and contracting of engineering services through requests for qualifications or from an established consultant roster. Further, you indicate that you provide guidance to A/Es, prepare and guide feasibility studies and direct consultants in establishing scope of work and development of specifications. Mr. King reiterated that "design and development" involves a review of the consultant or A/E firm's designs, plans, and specifications. Your supervisors agreed that you perform this function after receiving initial direction from Mr. King and that you are capable of processing the steps involved and work fairly autonomously. Your supervisors disagree that the majority of your work involves preliminary design.

You further indicate that 20% of your time involves single and multi-trade in-house projects and 20% capital public works projects. During the Director's review conference, you explained that you still follow the same preliminary planning, estimating, forecasting, and review of design specifications for in-house projects as you do when you coordinate with outside consultants.

### 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.

The State Human Resources (HR) Glossary of Classification Terms defines class series and class series concept as follows:

**Class Series.** A grouping of job functions having similar purpose and knowledge requirements but different levels of difficulty and responsibility (WAC 357-01-080).

**Class Series Concept.** Describes the overall purpose, duties, and general responsibilities of classes in a series. . . .

Although the class series concept encompasses duties from all classes in the series to provide an overview, not every duty listed necessarily applies to each class in the series. The purpose of the class series is to distinguish it from other class series in the classification plan. Once a position's duties fit a particular class series, the definition and distinguishing characteristics identify the distinctions between classes. Typical work examples sometimes overlap from one class to the next but are considered in the context of the definition and distinguishing characteristics. Further, typical work statements do not form the basis for a position's allocation, but they can lend support to the work envisioned within a classification.

The Construction Project Coordinator class series concept states the following:

Coordinates, directs and reviews the development of designs and specifications by private design firms for the construction, renovation and repair of state buildings and/or vessels; coordinates and directs the planning, scheduling, project and cost control of complex building, vessel, or utilities construction projects. This class series is distinguishing from professional engineers and architect in the no registration is required.

**Construction Project Coordinator 2 (CPC 2)** definition describes this class as the journey level of the series.

The HR Glossary of Classification Terms defines journey as follows:

**Journey** - Fully competent and qualified in all aspects of a body of work and given broad/general guidance. Individuals can complete work assignments to standard under general supervision. Also referred to as the working or fully-qualified level.

The **CPC 2** definition goes on to state that positions at this level “coordinate the construction phase of all building and utility projects, including general, mechanical, and electrical work, from contract award through warranty.” Emphasis added.

In addition, CPC 2 positions “act as the institution's or agency's representative and serve as the primary contract administrator for projects administered by the owner.”

The CPC 2 definition is distinguished from the CPC 3 class in that positions “coordinate the construction phase . . . from contract award through warranty,” meaning that the majority of preliminary, pre-design work has already been decided and the contract completed when the position is given the responsibility for coordinating the construction phase of the project.

I recognize there is an element of review and design development that can still occur during the constructing phase as projects evolve, and some of these functions are described by the CPC 2 typical work statements. However, The CPC 2 class does not fully capture your duties and responsibilities associated with the coordination and review of initial designs and specifications, preliminary planning, or your participation in the contract bid evaluations and recommendations for A/E consultants. These are the primary distinctions between the CPC 2 and CPC 3 classes.

The **Construction Project Coordinator 3 (CPC 3)** definition describes this class as the senior, specialist, or lead-worker level of the series.

The HR Glossary of Classification Terms defines senior as follows:

**Senior** - The performance of work requiring the consistent application of advanced knowledge and requiring a skilled and experienced practitioner to function independently. Senior-level work includes devising methods and processes to resolve complex or difficult issues that have broad potential impact. These issues typically involve competing interests, multiple clients, conflicting rules or practices, a range of possible solutions, or other elements that contribute to complexity. The senior-level has full authority to plan, prioritize, and handle all duties within an assigned area of responsibility. Senior-level employees require little supervision and their work is not typically checked by others.

In addition, CPC 3 positions perform the following functions:

. . . coordinate, direct, and review the development of designs and specifications by private design firms for the construction of state buildings and/or vessels. Positions coordinate and direct the planning, scheduling, project and cost control of complex building and/or vessel construction projects. Positions develop cost estimates and cost analysis required for budget forecasts, facilities planning, conceptual studies, and bid comparison of projects for design and construction of buildings and/or vessels.

Your position reviews the designs, plans, and specifications in all phases of your assigned projects. You gather and coordinate information used to recommend consultants. You coordinate and participate during the development phase of projects. While consultants provide much of the cost and engineering expertise, you review the information and make recommendations, including reviews of long-range costs and cost estimates based on planning or conceptual studies, preparation of bid estimates, and cash flow analyses (Exhibit B-1, comparison of duties).

During the Director's review conference, Mr. King indicated that Construction Project Coordinator positions (you, your co-worker, and your supervisor) all coordinate projects and back each other up. He added that while specific positions may bring special expertise, all of your positions essentially perform the same type of work on projects. This includes working with user groups and engineering consultants to gathering information and proposals for implementation of projects or estimates for construction. Your position has involvement in gathering preliminary information and assisting with coordination and evaluation of contractors. You also coordinate the scope of projects and help develop budget estimates and schedules. It is also undisputed that your position has "quite a bit of autonomy" (Exhibit B-1, page 5). As the AVP for Facilities, Mr. King has ultimate decision-making authority for all projects, including those performed at the CPC 4 level.

When considering the class series as a whole, the CPC 3 class best encompasses your position's overall scope of duties and level of responsibility. While your duties coordinating the construction phase from contract award through warranty are encompassed in the CPC 2 class, the CPC 2 class does not address the full scope of work for the projects assigned to your position. Your position is involved in projects from conception through completion, and you

perform coordination prior to construction. This includes a review of designs, plans, and specifications in all phases of your projects, including those by private design firms. It also includes planning and coordinating scope of work, budget estimates, and schedules. You report to a position in the CPC 4 classification, which states, in part, that CPC 4 positions supervise the work of Construction Project Coordinators. At the CPC 3 level, your position works independently, and "you are trusted for your experience and knowledge" (Exhibit B-1, page 5). Although you consult with your supervisor and meet as a team with others in your unit, including the AVP for Facilities, your position has authority to plan, prioritize, and perform duties within assigned projects, subject to the overall approval by Mr. Davis, as your supervisor, and Mr. King, as the AVP for Facilities.

In Salsberry v. Washington State Parks and Recreation Commission, PRB Case No. R-ALLO-06-013 (2007), the Personnel Resources Board addressed the concept of best fit. The Board concurred with the former Personnel Appeals Board's conclusion that while the appellant's duties and responsibilities did not encompass the full breadth of the duties and responsibilities described by the classification to which his position was allocated, on a best fit basis, the classification best described the level, scope and diversity of the overall duties and responsibilities of his position. Allegrì v. Washington State University, PAB Case No. ALLO-96-0026 (1998).

In total, the Construction Project Coordinator 3 classification best describes the level, scope and diversity of the overall duties and responsibilities of your position.

### **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 4<sup>th</sup> 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: Kim Davis, EWU  
Lisa Skriletz, SHRD

Enclosure: List of Exhibits

**DAVE WALTERS v EWU**

**ALLO-12-067**

**A. Dave Walters Exhibits – Letter requesting Director's Review received December 7, 2012**

1. Reference Position Review Request – Supervisor's Portion
  - a. PRR Supervisor section with attached comments
  - b. PRR Employee section
2. Reference Position Review Request – Second Level Supervisor's Signature
  - a. September 24, 2012 letter from Shawn King
3. Audit results from Kim Davis EWU HR
  - a. November 6, 2012 audit results memo to Mary Voves, Vice President for Business and Finance with highlighting
4. Organizational charts 2007-2013
5. Feasibility Study – Major Construction – 43 pages
6. Feasibility Study – Minor Construction – 3 pages
7. November 20, 2012 email from Dave Walters to Kim Davis regarding job duties

**B. EWU Exhibits**

1. Allocation determination letter dated November 9, 2012
2. Allocation determination letter to Vice President for Business and Finance dated November 6, 2012
3. Position Review Request – Employee portion September 10, 2012
4. Position Review Request – Supervisor portion September 21, 2012, from Mike Davis, Construction Project Coordinator 4
5. Supplemental Memo, September 24, 2012 regarding the PRR Supervisor portion from Shawn King, Associate Vice President for Facilities and Planning
6. Notes taken from interview with Dave Walters October 2, 2012
7. Email with additional information from Dave Walters October 3, 2012
8. Email with additional information from Time Raver copied to Dave Walters October 5, 2012
9. Interview with Mike Davis, Supervisor and Shawn King, Associate VP October 17, 2012
10. Side by side analysis of Construction Project Coordinators 1-4
11. Notes written on PRR-Employee portion with breakdown of where major duties fall in terms of classification level – letter refer to duties listed in exhibit 12
12. Spreadsheet with labeled columns and rows – key to notes on exhibit 11
13. Current job description on file for Dave Walters July 2007
14. Organizational chart for the Construction and Planning Department
15. HR March 14, 2013 response to Dave Walter's exhibit submission

**C. Class Specifications**

1. Construction Project Coordinator 1
2. Construction Project Coordinator 2
3. Construction Project Coordinator 3
4. Construction Project Coordinator 4