



**STATE OF WASHINGTON**  
**OFFICE OF FINANCIAL MANAGEMENT**  
**STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM**  
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October 17, 2016

**TO:** Connie Goff  
Rules and Appeals Section Chief

**FROM:** Christa Biasi  
Director's Review Specialist

**SUBJECT:** Laurie Dschaak v. Department of Commerce (Commerce)  
Allocation Review Request ALLO-16-029

**Director's Determination**

This position review is based on the work performed for the six-month period prior to February 11, 2016, the date Commerce Human Resources (Com - HR) received Laurie Dschaak's request for reallocation. As the Director's Review Specialist, I carefully considered all the exhibits, any written communication provided and the information obtained during the Director's Review Conference. Based on my review and analysis of Ms. Dschaak's assigned job duties; I conclude her position is properly allocated to a Commerce Specialist 1 (CS 1).

**Background**

On February 11, 2016, Commerce Human Resources (Com-HR) received a Position Review Request submitted by Ms. Dschaak (Exhibit A-3).

Com-HR conducted a position review and notified Ms. Dschaak on April 21, 2016, that her position was properly allocated to the CS 1 class. (Exhibit B-1)

On May 9, 2016, Office of Financial Management - State Human Resources (OFM-State HR) received Ms. Dschaak's request for a Director's review of Com-HR's allocation determination. (Exhibit A-1)

On September 28, 2016, I conducted a Director's review conference with Ms. Dschaak; Staci Leanos, Washington Federation of State Employees (WFSE); Ms. Burkheimer, Com-HR; Karen Roe, Supervisor and Amy Goodall Rasmussen, COM-HR Director.

## **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).

## **Organizational Structure**

Ms. Dschaak's position is located within the Local Government Division. Her position supports the Community Development Block Grant (CDBG) program. She reports to Ms. Karen Roe, Commerce Specialist 5 (CDBG Program Manager).

## **Duties and Responsibilities**

Ms. Dschaak's major job duties are described in exhibit A-3 as follows:

60% Manages CDBG Public Services Grant contracts from inception to closeout.

- Develop grant application materials.

- Conduct application threshold reviews for eligible activities, federal compliance with HUD, etc.

- Prepare contract materials for execution.

- Monitor 17 contracts annually to ensure grantees are meeting contractual requirements.

- Provide continual technical assistance.

- Review and processes A-19 payment vouchers.

- Compile performance measure target reports.

- Collect quarterly beneficiary data/reports.

- Conduct an annual desk monitoring and closeout report.

30% Support the Washington State CDBG Program staff, local governments and partners.

- Maintain the CDBG Access Database: compile status reports, performance measures data, report contract activity in FFATA, provide administrative support for the CDBG program staff, assist with development of five CDBG grant program applications and guidance materials, and coordinate logistics of four CDBG workshops annually. Annually, I assist to review the CDBG contract boiler plate with Commerce and or the Attorney General if necessary.

- 5% Maintain CDBG website pages. Post CDBG news and information as needed. Maintain the document library, compile and post award information, program summaries and reports as needed.
  
- 5% Maintain CDBG Program File Systems. Maintain CDBG Program master file system, prepare and process final contract closeouts (FCO) for storage retention at the WA State Record Center.

### **Summary of Ms. Dschaak's Perspective**

In her request for a Director's Review, Ms. Dschaak stated that she tracks Public Services quarterly beneficiary data/reports, assists in compiling General Purpose Grant application reviews and scores for annual awards. She further stated:

"In 2015 I developed beneficiary/racial demographic data information for approximately 44 new CDBG projects. I submit all executed contracts for the CDBG Program in the Commerce Contract Management System (CMS) and the Federal FFATA Reporting System."

Ms. Dschaak believes her duties are described accurately in her PRR (Exhibit A-3), she meets the definition of the CS 2 on the OFM HR website and that her supervisors agree she is currently working at the CS 2 level. She further stated that her supervisor also noted in the supervisory portion of the PRR that "...it has become clear the program functions best when Laurie works as a Com 2 level..."

Ms. Dschaak also notes in her request for a Director's Review that since December 2015 she has been qualified and approved by HR to submit her application for three CS 2 positions that have been opened recently and that this also confirms her qualifications to be allocated to the CS 2 class.

During the course of the Director's Review conference, Ms. Dschaak described her duties as supporting the CDBG Program by assisting with the development of application and requests for proposals. The majority of the grants Ms. Dschaak works on are to assist low income persons across the state, low income housing, employment training and assisting senior citizens.

She also described her duties as reviewing grant applications and ensuring the recipient of the grant proceeds meet all requirements, including the necessity for a hearing and reviewing due dates. Ms. Dschaak also performs research using census data to ensure the grant applications align with the communities census data in order to ensure communities are meeting specific income thresholds for grant funding. She also participates in annual workshops that assist applicants with the grant process.

As part of her duties, Ms. Dschaak develops program bios which assist her to ensure the grant applicants meet requirements for specific grants. She also tracks various grant functions and deadlines by using spreadsheets and tracking data by using an already established database. She also process A-19's for payment and tracks the grantee's progress from beginning through the closeout of the grant, including any necessary reporting to the Federal Government.

### **Summary of Commerce's Position**

In the determination letter (Exhibit B-1), Ms. Burkheimer, Human Resource Consultant, Com-HR determined the overall scope and breadth of Ms. Dschaak's duties closely aligned with those of the CS 1 class. In her determination, Ms. Burkheimer used the following information:

- The Position Review Request (PRR) submitted for consideration by your supervisor on February 24, 2016;
- The Position Review Request submitted for consideration by you on February 11, 2016;
- The PDF on file date stamped May 29, 2015;
- Information you provided during our meeting on March 10, 2016;
- The classification specifications for Commerce Specialist 1 and Commerce Specialist 2.

Ms. Burkheimer indicated in her determination letter (Exhibit B-1) that Ms. Dschaak did not demonstrate that she develops and implements program evaluation plans, design and analyze surveys, analyze data to measure service and impact, perform economic analysis and integrate results into overall evaluation reports. Ms. Burkheimer further commented that Ms. Dschaak does not "Exercise decision making authority, resolve issues, represent the agency within their assigned area of program responsibility and provide input into policy development. Nor independently provide assistance, consult and train clients in areas such as program planning, financing, grants management, contract development, market development, and emergency preparedness or community revitalization as outlined in the Commerce Specialist 2 classification."

Lastly, Ms. Burkheimer stated that Ms. Dschaak's overall duties are best described as supporting the CDBG program staff, contract facilitation and processing and coordinating the CDBG Public Services Grant sub-program contracts. She concluded these duties are outlined in the CS 1 definition.

### **Supervisor's Comments**

During the course of the Director's Conference Ms. Poe, Supervisor, stated that she agreed Ms. Dschaak should be reallocated to a CS 2 so she can begin the transfer of duties to her. Some of the duties include:

- Fully manage services grants
- Development of application requirements
- Review of applications for eligibility with less oversight
- Review of eligible costs and signature authority
- Monitoring and recommendation of finding
- Lead on policy changes

Ms. Poe stated that should Ms. Dschaak take over the aforementioned duties, she would require less oversight and the program would operate more efficiently. Ms. Poe also discussed that a Position Description Form had been submitted prior to the request for the Director's Review, however, management at the time decided the transfer of duties was not the route to go and any reallocation or change in Ms. Dschaak's duties would be re-examined after the completion of the Director's Review process.

### **Comparison of Duties**

I carefully reviewed the exhibits submitted by the parties. Allocating criteria consists of the class specification's class series concept (if one exists), the definition and the distinguishing characteristics. Typical work is not an allocating criterion, but may be used to better understand the definition or distinguishing characteristics.<sup>1</sup>

### **Comparison of Duties to the Commerce Specialist series**

The Class Series Concept for this series states:

Positions in this series perform professional level work in developing, implementing and monitoring state, federal or local community, trade and/or economic enhancement or development programs or projects impacting communities, businesses and citizens of the state.

### **Comparison of Duties to Commerce Specialist 2**

#### Definition

Positions at this level independently perform a wide variety of professional, journey-level work such as **developing and implementing program evaluation plans, developing and maintaining program-specific data tracking systems, designing and analyzing surveys, analyzing data to measure service and impact**, performing economic analysis, and integrating results into overall evaluation reports. **Incumbents exercise decision-making authority, resolve issues, represent the agency within their assigned area of program responsibility and provide input into policy development.** Incumbents independently provide assistance, consultation and training to clients in areas such as program planning, financing, grants management, contract development, market development, emergency preparedness, community revitalization, or other areas necessary to the success of program(s) or portions of a program(s) or project(s).

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<sup>1</sup> In *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020 (2008), the Personnel Resources Board (Board) stated that the following standards are the hierarchy of primary considerations in allocating positions: a) Category concept (if one exists); b) Definition or basic function of the class; c) Distinguishing characteristics of a class; and d) Class series concept, definition/basic function and distinguishing characteristics of other classes in the series in question.

There are no Distinguishing Characteristics for this class.

In total, while a portion of her work reaches aspects of this class, her level of responsibility and the overall focus and scope of her assigned duties as a whole do not reach the depth and breadth of responsibility to independently perform a wide variety of professional, journey-level work at the level required by this class.

For example, positions in this class independently perform a wide variety of professional, journey-level work such as developing and implementing program evaluation plans, developing and maintaining program-specific data tracking systems, designing and analyzing surveys, analyzing data to measure service and impact, etc. Rather, as stated during the review conference, Ms. Dschaak performs her duties within already developed evaluation plans, data tracking systems, surveys and does not analyze data to measure service impacts.

Ms. Dschaak does not have decision making authority nor does she resolve issues or represent the agency within an assigned area of program responsibility. Should an issue arise, such as the processing of a questionable A-19, Ms. Dschaak will confer with her supervisor to gain authority and guidance to either accept or reject the request for payment. After the A-19 is accepted and approved by her supervisor, the A-19 is then given to a CS 3 who will submit the A-19 for payment.

Typical work is not an allocating criterion, but may be used to better understand the definition or distinguishing characteristics. For example, Ms. Dschaak's duties do not include:

- Develops, implements, and monitors federal, state and local programs;

- Utilizes a variety of data pertaining to varying situations to perform analysis or evaluation of problems;

- Assists with development of legislation;

- Prepares program proposals, monthly summaries and quarterly reports;

- Conducts or oversees workshops and seminars related to programs;

- Develops and monitors contracts required to achieve program goals;

- Represents agency at professional local, state, and regional national meetings;

- May manage one or more state, federal or local projects or programs and provide technical consultation and training to clients and/or others;

The aforementioned Typical Work Statements are some of the duties that her supervisor, Ms. Poe would like to transfer to Ms. Dschaak should she be reallocated. However, in order for an incumbent to be reallocated through the employee initiated PRR process, he or she must be performing the duties for a period of six months prior to Human Resources receiving the request for reallocation. As such, Ms. Dschaak does not meet the full breadth and level of the intent of the CS 2 class. Therefore, her position should not be reallocated to the CS 2 class.

## **Comparison of Duties to Commerce Specialist 1**

### **Definition**

Positions at this level work under the direction of a higher level program manager, perform professional-level work, and assist in program development, research and implementation of state, federal and local programs.

Ms. Dschaak's duties fall within this class. Pursuant to the PRR (Exhibit A-3), Ms. Dschaak's duties are performed under the direction of a higher level program manager. She assists in program development while performing her duties in support of the Local Government Division and specifically, working with the CDBG program.

As further stated in her PRR (Exhibit A-3), Ms. Dschaak spends sixty-percent (60%) of her time performing the following duties:

- Developing grant application materials
- Conducting application threshold reviews for eligible activities, federal compliance with HUD, etc.
- Preparing contract materials for execution.
- Monitoring 17 contracts annually to ensure grantees are meeting contractual requirements.
- Providing continual technical assistance.
- Reviewing and processes A-19 payment vouchers.
- Compiling performance measure target reports.
- Collecting quarterly beneficiary data/reports.
- Conducting an annual desk monitoring and closeout report.

As stated in the Definition, "Positions at this level work under the general direction of higher level program manager ... and assist in program development, research and implementation of state, Federal and local programs." Ms. Dschaak provides contract management by monitoring and tracking Federal CDBG Public Services Grant contracts after contract execution through the close out of the contract. She does not negotiate the contracts, rather she manages the contracts. Working within already established guidelines, she provides professional and technical level assistance to clients to ensure compliance with contract terms, compiles performance measure targets, collects quarterly reports and processes contract closeout reports.

During the review conference, Ms. Dschaak discussed additional duties that relate to updating manuals for contract participants and attending workshops. She also develops correspondence to participants regarding the status of their grant and any upcoming deadlines to be aware of, uses a database to track information and provide reports and assists in grant proposals and agency reports. All of these duties align with the CS 1 class.

There is overlap in the description of duties for both the CS 1 and CS 2 classes. It is also acknowledged that there are aspects of Ms. Dschaak's duties that reach beyond the general scope of work performed at the CS 1 level. However, when considering the two classes, Ms. Dschaak's duties and level of responsibility more closely align with the CS 1 class. The CS 1 class more accurately describes the overall duties and level of decision making authority exercised by Ms. Dschaak in her position.

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 referenced *Allegri v. Washington State University*, PAB Case No. ALLO-96-0026 (1998), in which the Personnel Appeals Board noted 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.

Based on the level, scope and breadth of Ms. Dschaak's assigned duties and responsibilities, her position should remain allocated to the CS 1 classification.

### **Appeal Rights**

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

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 PO Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located on the 3rd floor of the Raad Building, 128 10th Avenue SW, Olympia, Washington. The main telephone number is (360) 407-4101 and the fax number is (360) 586-4694.

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

c: Laurie Dschaak, Employee  
Stacie Leanos, WFSE  
Amy Goodall-Rasmussen, Com/HR

Enclosure: List of Exhibits



**LAURIE DSCHAAK v COM**  
**ALLO-16-029**

**LIST OF EXHIBITS**

A. Laurie Dschaak Exhibits

1. Request for Director's Review
2. Memo to Karen Wilcox, Stacie Leanos and Theresa Burkheimer
3. Position Review Request: Employee Portion
4. Position Review Request: Supervisor Portion
5. Local Government Division Organizational Chart
6. Current Position Description
7. Application and Contract Routing Approval Forms
8. Position Review Determination Letter from Commerce HR
9. Other COM2 Position Descriptions in Local Government Division
10. HUD report

B. Commerce Exhibits

1. Allocation Determination Letter
2. Position Description, 05/29/2016
3. Notes from Position Review Meeting conducted by Theresa Burkheimer on March 9, 2016
4. State HR Class Specification for Commerce Specialist 1
5. State HR Class Specification for Commerce Specialist 2
6. Position Review Matrix
7. Organizational Chart