



**STATE OF WASHINGTON**  
**OFFICE OF FINANCIAL MANAGEMENT**

STATE HUMAN RESOURCES | DIRECTOR'S REVIEW PROGRAM  
P.O. Box 40911 · Olympia, WA 98504-0911 · (360) 407-4101 · FAX (360) 586-4694

January 17, 2017

TO: Connie Goff  
Rules and Appeals Section Chief

FROM: Nancy Jacobski  
Director's Review Specialist

SUBJECT: Donna Wells vs. Office of Insurance Commissioner  
Allocation Review Request ALLO-16-062

**Director's Determination**

This position review is based on the work performed for the six-month period prior to May 3, 2016, the date the Office of Insurance Commissioner (OIC) Human Resources (HR) received Donna Wells request for a 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. Wells' assigned job duties, I conclude her position is properly allocated to a Communications Consultant 4 (CC 4).

**Background**

On May 3, 2016, Ms. Wells submitted a Position Review Request (PRR) (Exhibit B-2) to OIC HR.

By letter dated August 2, 2016, Joe Vidales, Senior Human Resource Consultant, notified Ms. Wells that her position remained allocated to Communications Consultant 4 (Exhibit B-1).

On August 22, 2016, Office of Financial Management, State Human Resources, received Ms. Wells' request for a Director's Review of OIC HR's allocation determination (Exhibit A-1).

The Director's Review Conference was held on December 14, 2016, via telephone conference. Present at the telephone conference were Donna Wells, Appellant; Stacie Leanos, Counsel Representative for Washington Federation of State Employees (WFSE); Joe Vidales, OIC Senior HR Consultant; Todd Dixon, Consumer Protection Program Manager; and Melanie Watness, OIC 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

This position serves as a CC 4 within the Consumer Protection Division. Specifically, Ms. Wells' work focuses on communications in the Consumer Advocacy and the Statewide Health Insurance Benefits Advisors (SHIBA) programs. Ms. Wells reports to Todd Dixon, Consumer Protection Program Manager, who in turn reports to the Deputy Commissioner of Consumer Protection. Agency wide, OIC has a total of two Communications Consultants, both at the 4 level. Ms. Wells is the only CC 4 in the Consumer Protection Division.

### Summary of the Position Review Request

As described in the Position Review Request (PRR) (Exhibit B-2), Ms. Wells describes her position purpose as follows:

My position serves as the sole communications consultant for all of the Consumer Protection Division. The main responsibilities include managing all web, print and outreach activities for both the SHIBA and Consumer Advocacy programs. In addition, I advise and act as a communications resource to the Licensing Program and the Deputy Commissioner within the Consumer Protection Division and to the Public Affairs Deputy.

Ms. Wells divides her work up as follows:

40% Improves the quality and effectiveness of consumer protection web communications.

- Identifies areas of web pages for the SHIBA and Consumer Advocacy Program that need improved readability for consumers.
- Oversees and advises web writing improvement projects and content reviews and ensures they are carried out and meet agency policies and procedures.
- Evaluates the effectiveness and reports on the results.
- **Mentors individual employees, instructing them on various web writing improvement projects.**
- Consults with programs to ensure web pages have a clear audience, purpose and message.
- Writes and edits web pages that are critical to the Consumer Protection Division's mission, performance and communication with external consumers and employees.

Examples:

...

- Oversees, advises and collaborates with 28 subject matter experts in both the Consumer Advocacy and SHIBA programs...

...

30% Manages publications and outreach.

- Manages the SHIBA and Consumer Advocacy Programs in the areas of writing, editing and plain-talking for printed materials, marketing and outreach.

- The objective is to produce and maintain printed materials, web content, presentations, posters, advertising, and other internal and external communications. Includes multilingual materials and advertising for health-related workshops.
- Mentors individual employees, program managers and executive staff who need assistance with writing projects.
- Responds to media requests for the SHIBA Program.
- Responsible for procedures and standards.
- Collaborates with internal and external partners on strategic methods to effectively communicate according to type of audience.
- Facilitates meetings to reach consensus on communication activities, content and timelines.
- Ensures all communication plans and media products are consistent and comply with program and agency requirements.
- Leads and facilitates the outreach and education committee for both the SHIBA and Consumer Advocacy Programs.
- Serves as spokesperson to news media for SHIBA program and also serves as a backup for Public Affairs WMS staff when needed.

25% Reviews, edits and approves web publishing requests.

- Review, edit and approve web page publishing request for the SHIBA and Consumer Advocacy programs within the Consumer Protection Division.
- Reviews language used and advises staff on using alternate language to enhance customer service, readability and usability.
- Advises and works with division subject matter experts to improve content that does not meet agency standards relating to presentation, clear writing and quality.
- Ensures all web-based information and PDFs for the SHIBA program meets 508 compliant guidelines.
- Works in partnership with Public Affairs Web Services staff to ensure content is posted correctly.

5% Other duties as assigned

### **Summary of the Supervisor Portion of the Position Review Request**

In the supervisor portion of the PRR, Mr. Dixon disagrees with Ms. Wells' role in managing outreach, noting that managing outreach is the responsibility of the SHIBA Field Supervisor. Mr. Dixon says the second sentence of Ms. Wells' position purpose would be better stated as follows:

The main responsibilities include coordinating all web, print and outreach activities for both the SHIBA and Consumer Advocacy programs.

Further, Mr. Dixon states he would describe Ms. Wells position purpose as:

- Creating, editing and publishing outreach materials.
- Coordinating web content for the SHIBA and Consumer Advocacy programs.
- Writing, editing and plain-talking content.
- Working with subject matter experts.
- Developing program web operating policies.
- Coordinating print publications and materials within the two programs.

Mr. Dixon asserts Ms. Wells does not serve as a mentor, rather a resource to employees and managers on web writing improvement projects.

Mr. Dixon argues that Ms. Wells does not oversee the work of 28 subject matter experts, but does agree with Ms. Wells that she advises and collaborates with them.

Ms. Wells indicates she serves in a lead capacity, whereas Mr. Dixon contends Ms. Wells is not a lead, i.e., does not assign or instruct the work of employees. Mr. Dixon maintains that Ms. Wells provides editing and final review of consumer publications and training materials.

### **Summary of Ms. Wells Perspective**

Ms. Wells asserts the duties and responsibilities of her position more closely align with the definition and distinguishing characteristics (DCs) of the CC 5. Ms. Wells contends that evident in her Request for Director's Review (Exhibit A-2), the majority of her work consists of specific areas of the CC 5 DCs.

Ms. Wells states the work assigned her position does not fit DC numbers 1, 5 and 6, so these were not addressed in her Request for Director's Review and, per her verbal agreement, not discussed during the director's review conference call. Ms. Wells asserts the majority of her duties and responsibilities fit the CC 5 DC numbers 2,3,4 and 7, outlined below:

#### CC 5 Distinguishing Characteristics

...

2. Advises director and other top management staff on public information policies and issues, including participating in the management decision-making process.

I'm an active participant and team member in the weekly Public Affairs department communication issues meeting, in which the Deputy Commissioner for Public Affairs, and the three Public Affairs WMS managers also attend. In this meeting we discuss upcoming media, legislative and agency activities and issues that pertain to public information. In these meetings, I advise my team members of any public information activities and issues concerning the Consumer Protection division they should be aware of – for example, for Medicare Open Enrollment, I advise them of our activities and any events we want the commissioner to attend and decide what topic he will specifically address, any news releases I plan to do, in addition to any new Medicare-related issues that might generate media and/or consumer calls.

I advise the program managers for SHIBA and Consumer Advocacy on public information policies and issues they need to be aware of that pertain to each of their programs. I also meet with the Deputy Commissioner for Consumer Protection and his direct reports and their staff who sit on the agency's Web Management Committee. I provide recommendations and information on agency web-related policies and activities that directly impact both the SHIBA and Consumer Advocacy programs.

3. Represents the director and the agency/institution as spokesperson to the news media and the public regarding cross program and policy issues, including representing the director and the agency/institution at public meetings, hearings, news briefings or other public events.

Over time, my role has expanded to become the agency's primary spokesperson for Medicare. Public Affairs refers media calls to me about Medicare Open Enrollment, Medicare Advantage plans, and Medicare fraud. Additionally, I'm responsible for independently creating public messages related to Medicare, which includes writing press releases and talking points.

I am also responsible for briefing the insurance commissioner regarding any upcoming Medicare events or presentations he is scheduled to attend on behalf of SHIBA.

4. Serves as information manager responsible for developing and managing complex public information activities, including the development of policies, goals and objectives; determines appropriate information activities; coordinates activities with Governor's Press Secretary.

I am responsible for managing for all consumer web content for both the SHIBA and Consumer Advocacy programs. This role requires that I create web review policies/processes for staff to follow who are assigned responsibility for web page content. I independently manage the processes, work with the Web Services team to build a schedule for review and direct the work of the content owners that includes reviewing their work and approving final content.

I am also responsible for managing all consumer printed publication and outreach materials for both the SHIBA and Consumer Advocacy programs. In this role, I create publication review policies/processes for staff to follow who are assigned responsibility for specific topics and publications. I independently manage the processes, work with staff on the schedule for review and direct the work of the staff that includes reviewing their work and approving final content.

Another integral part of my current position requires that I independently manage and create printed and digital advertising for 20 SHIBA sponsors. We contract with 20 non-profit organizations to manage our statewide volunteer base. Part of their role is to get the word out about the SHIBA program and services in their local communities. My role is to finalize the messaging and design the ads, ensuring they meet our agency's plain talk and design standards as well as the standards of the various media outlets. Based on the SHIBA ad policies and procedures I developed, SHIBA sponsors must first get approval for funding to place an ad through our online ad request form. If they choose to create their own ad, they must submit the ad to me for final review and approval before they submit it to the media outlet. If the ad doesn't meet our agency/program standards, based on my feedback they must edit their content/design before submitting to the media outlet.

As part of managing all consumer printed publication and outreach materials, I am solely responsible for managing all the printing requests for SHIBA and Consumer Advocacy that we send to the Department of Enterprise Services Print Services shop, along with the spending authority for this function for the SHIBA program. Previously, all printed materials had to go through Public Affairs for final review and design and printing. I now independently manage the design and printing processes, and work with DES staff for scheduling print jobs and the most cost-effective methods for production, and work with internal fiscal staff to ensure we follow the proper purchasing processes.

...

7. Serves as agency/institution information manager responsible for responding to significant emergency or crisis situation, including advising director and other agency/institution officials on public information strategies; coordinates information dissemination with appropriate local, State and Federal officials.

I serve as the only communications professional on the Consumer Protection Division's Consumer Protection Short-Term Business Interruption Team. As a division team, we created a plan for business interruptions that last less than 72 hours. My primary role, when the plan is activated, is to work with management to notify staff and stakeholders about the interruption via different communication methods, depending upon the type of business interruption. In addition, depending on the business interruption, I'm responsible for notifying our agency's Web Services team in the event we need to get notification out via our agency website.

I also serve as backup to our Public Affairs staff in the event of a disruption that lasts 72 hours or more. We use a tool called GovDelivery that sends email and text alerts to subscribers, which allows us to notify consumers, stakeholders and staff about business interruptions to our agency, even in times of natural disasters. In an interruption of this level, we work with the agency's executive team members on the messaging.

### **Summary of OIC's Perspective**

OIC contends that Ms. Wells' duties and responsibilities appear to align with the definition of the CC 5 in that she "...controls multiple information programs in a state agency/institution." They do not agree the majority of Ms. Wells' work aligns with the Class Specification's DCs.

Following is OIC's perspective, as addressed in the conference call, on the specific DCs Ms. Wells focused on:

2. Advises director and other top management staff on public information policies and issues, including participating in the management decision-making process.

OIC maintains that although Ms. Wells attends Public Affairs staff meetings, she does not participate in the decision-making process with top management staff, including making decisions around public policies and issues. OIC contends that in Public Affairs, three WMS positions work hand-in-hand with top management and that Ms. Wells serves as a participatory member of Public Affairs meetings and other groups. OIC further contends she offers information and advice based on her areas of expertise.

3. Represents the director and the agency/institution as spokesperson to the news media and the public regarding cross program and policy issues, including representing the director and the agency/institution at public meetings, hearings, news briefings or other public events.

OIC asserts Ms. Wells does not represent the Insurance Commissioner and the agency as a spokesperson to the news media and public. While Ms. Wells contends she is the primary spokesperson for Medicare and media calls are routed to her regarding Medicare open enrollment and other Medicare processes, OIC states this is far different than representing the agency on multiple/cross program issues. OIC maintains the Media and Outreach Manager is the principal agency spokesperson, as indicated in her PD (Exhibit B-16).

4. Serves as information manager responsible for developing and managing complex public information activities, including the development of policies, goals and objectives; determines appropriate information activities; coordinates activities with Governor's Press Secretary.

OIC argues the Public Affairs WMS positions have managerial oversight for complex public information activities and further argues there is a difference between managing versus collaborating and coordinating. OIC agrees that Ms. Wells does collaborate and coordinate with subject matter experts and other entities to develop and edit web content for SHIBA and Consumer Protection.

However, OIC asserts the Public Affairs WMS positions are the information managers responsible for developing and managing complex public information activities.

7. Serves as agency/institution information manager responsible for responding to significant emergency or crisis situation, including advising director and other agency/institution officials on public information strategies; coordinates information dissemination with appropriate local, State and Federal officials.

OIC contends the Public Affairs managers, not Ms. Wells' position, are responsible for the entire agency's emergency/disaster plans, as defined in their scope of work (Exhibits B-14 through B-16). OIC further contends that Ms. Wells' backup to these positions has been reduced to 5% of her overall duties.

### **Comparison of Duties to Class Specifications**

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>

### **Communications Consultant 5**

#### **Definition**

Plans, organizes, directs and controls multiple information and/or public relations programs in a State agency/institution.

Ms. Wells plans, organizes, directs and controls web communications, publications and outreach primarily for the SHIBA and Consumer Protection programs. Her duties interact with Public Affairs. To understand the full scope of this job class compared to the CC 4, I reviewed the CC 5 DCs:

#### **Distinguishing Characteristics**

The difference between positions at this level and the Communications Consultant 4 is that the scope of their responsibility encompasses multiple programs rather than a single program.

Ms. Wells' scope of responsibility does encompass more than one program, since she serves the SHIBA and Consumer Advocacy programs. Therefore, the duties assigned Ms. Wells fit this aspect of the CC 5 DC.

Positions at this level must be delegated a majority of the following responsibilities:

1. Supervises three or more professional information staff.

Ms. Wells does not supervise any staff.

2. Advises director and other top management staff on public information policies and issues, including participating in management decision-making process.

Public information policies and issues are handled by the managers within the Public Affairs Division. Ms. Wells does not advise executive level staff nor participate in the management decision-making processes. She does participate in staff meetings and groups where her input to managers, based on her level of expertise, is valued and utilized. Participation in decision-making meetings is common practice in agencies and higher education institutions and may involve many levels of staff based on their areas of expertise.

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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.

3. Represents the director and the agency/institution as spokesperson to the news media and the public regarding cross program and policy issues, including representing the director and the agency/institution at public meetings, hearings, news briefings or other public events.

Calls from media about Medicare plans are referred by Public Affairs to Ms. Wells. However, this responsibility is far different from representing the Insurance Commissioner and other executive staff. Ms. Wells does not serve as the agency spokesperson regarding cross program and policy issues, nor represents the Commissioner at public meetings, hearings, news briefings or other public events.

The position responsible for this DC is the Media and Outreach Manager who, per her PD "...serves as a principal agency spokesperson for major local, state and national media."

4. Serves as information manager responsible for developing and managing complex public information activities, including the development of policies, goals and objectives; determines appropriate information methods and techniques to carry out the public information activities; coordinates activities with Governor's Press Secretary.

As stated in Ms. Wells' PRR, she is responsible to improve the quality and effectiveness of consumer protection web communications. This includes identifying areas within SHIBA and Consumer Advocacy where web pages need improved readability. She also coordinates the printing, marketing and outreach functions. Ms. Wells ensures that staff who update web pages are following the protocols she has put in place. In this regard, Ms. Wells serves as an information manager responsible for developing and managing public information activities, consistent with DC #4.

DC #4 also speaks to the development of policies, goals, objectives and managing complex public information activities. Ms. Wells does set guidelines, develops written standards and participates in groups that ultimately develop policy. However, her scope of responsibility, which affects the level of complexity, is limited to the SHIBA and Consumer Advocacy programs. Ms. Wells determines appropriate information methods and techniques to carry out the public information activities within a limited scope of responsibility. As such, Ms. Wells' PD is not tailored to this portion of DC #4.

5. Advises agency/institution top management on public information activities and issues pertaining to legislative activities, initiatives and directives; works closely with agency/institution management to ensure adequate agency/institution public information policies and activities are developed and carried out for legislative matters.

As Ms. Wells agrees, the duties and responsibilities of her position does not incorporate DC #5.

6. Develops and coordinates agency/institution public information policy and activities with other governmental agencies and boards, or develops agency/institution policy and makes policy decisions pertaining to information issues.

As Ms. Wells agrees, the duties and responsibilities of her position does not incorporate DC #6.

7. Serves as agency/institution information manager responsible for responding to significant emergency or crisis situations, including advising director and other agency/institution officials on public information strategies; coordinates information dissemination with appropriate local, State and Federal officials.

This position is part of a team that creates plans for business interruptions lasting less than 72 hours. As OIC indicated in the director's review conference call, backup for Public Affairs disruptions lasting more than 72 hours utilizes approximately 5% of Ms. Wells' time and are regularly handled by WMS positions.



As such, Ms. Wells does not serve as the agency information manager accountable for responding to significant emergency or crises; does not advise the commissioner and other officials on public information strategies; and does not coordinate information dissemination with appropriate local, State and Federal officials.

Based on the review of the class specification for CC 5, I do not find the majority of Ms. Wells' duties fit the DCs for the CC 5.

#### **Communications Consultant 4**

##### **Definition**

Positions at this level plan, organize, direct, and control an extensive communications and/or public relations program. Positions develop information and/or public relations strategy for a program which typically includes impacts of legislative initiatives and directives and public reactions. Positions at this level may include services for translating communications and publications from English to the appropriate target language.

There are no distinguishing characteristics for this job class.

The duties and responsibilities of Ms. Wells' position include "planning, organizing, directing and controlling extensive communications and/or public relations programs," consistent with the definition of CC 4. As identified in Ms. Wells' PRR and post-conference Exhibit D-1, the duties supporting the definition include the following:

- Identifies areas within the SHIBA and Consumer Advocacy programs where web pages need improved readability, directly impacting customer service.
- Works with staff who update web content to ensure they follow standards she puts in place.
- Responsible for developing communications goals and objectives for SHIBA and Consumer Advocacy.
- In collaboration with the OIC's Director of Special Investigations, updates the agency's web content on insurance-related fraud and scams.
- Advocates for and guides each unit's web presence in partnership with Public Affairs Web Services team.
- Collaborates with internal and external partners on strategic methods to best communicate to intended audiences.
- Facilitates meetings to reach consensus on communication activities, content and timelines.
- Answers questions by news media concerning Medicare plans.
- Annually writes and edits the OIC Commissioner's portion of a report required by the WA State Governor's Office of Indian Affairs.

Also consistent with the definition of CC 4, Ms. Wells produces and maintains multilingual materials and advertising for health-related workshops. As part of the review and edit process, Ms. Wells reviews language used and advises staff on using alternate language to enhance customer service, readability and usability.

In *Kristin Mansfield vs. Department of Fish and Wildlife*, PRB Case No. R-ALLO-11-014 (2014), the Personnel Resources Board ruled that absent distinguishing characteristics, they may look to the typical work statement for guidance.

The typical work statements below exhibit some of the work performed by Ms. Wells and also exemplifies the definition of CC 4:

### **Typical Work**

Translates brochures, correspondence, technical and legal documents, laws, regulations, policies and procedures, flyers, forms, letters, memoranda, and publications written in English into an appropriate target language such as Spanish, Chinese, Cambodian, Laotian, or Vietnamese;

...

Reviews, edits and proofreads translated material to ensure accurate translations of text; ensures appropriateness for final typing, printing and/or publication;

Provides information about the target language and culture in which the language is spoken to the originators of documents to be translated; translates concepts that do not exist in the target language and the culture in which the target language is spoken;

Plans, coordinates, and directs collection, preparation, and dissemination of all informational materials to mass news media; directs preparation of biennial and special reports, brochures, pamphlets, motion picture films, television and radio presentations;

Serves as spokesperson to news media and the general public; advises administrators regarding public reaction to proposed programs and policies;

Analyzes extent of public understanding of programs administered by department; determines need and type of information and education programs; establishes objectives of information program; evaluates effectiveness of information and public relations activities and recommends changes as warranted;

Organizes and conducts meetings, workshops, and seminars; promotes knowledge of and use of department services;

...

### **Conclusion**

The duties assigned Ms. Wells' position appear to fit the definition of the CC 5, as she plans, organizes, directs and controls multiple information and/or public relations programs. DCs are utilized to distinguish one level from another and, at times, one job class from another. Since class specification definitions for one level may overlap with another, the DCs from the CC 5 helped me differentiate the CC 5 from the CC 4. The CC 5 class specification indicates incumbents must be delegated a majority of the work in the DCs. Evident in her PRR, Request for Director's Review, and through information gained during the telephone conference, Ms. Wells' duties and responsibilities do not exhibit the majority of the DCs in the CC 5 class specification. As a result, allocating Ms. Wells' position to Communications Consultant 5 is inappropriate.

Duties and responsibilities assigned Ms. Wells' position involve planning and controlling various types of communications for the SHIBA and Consumer Advocacy programs, consistent with the CC 4 definition, which states, "Positions at this level plan, organize, direct, and control an extensive communications

and/or public relations program." Ms. Wells performs services involving the translation of communications and publications from English to other languages, also consistent with the definition of CC 4. Additionally, since there are no DCs for this job class, I looked to the typical work statements in the CC 4 class specifications for guidance and found most of the typical work statements reflect the work performed by Ms. Wells.

Based on a comparison of the definition and typical work of the CC 4 to the definition and DCs of the CC 5, I find the duties assigned Ms. Wells' position best fit<sup>2</sup> the Communications Consultant 4 job classification.

### **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 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.

cc: Donna Wells, Appellant  
Joe Vidales, Senior Human Resource Consultant  
Stacie Leanos, WFSE

Enclosure: List of Exhibits

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<sup>2</sup> The best fit concept is supported by *Salsberry v. Washington State Parks and Recreation Commission*, PRB Case No. R-ALLO-06-013 (2007), the Personnel Resources Board (the 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 [her] position.

**Donna Wells vs. OIC**  
**ALLO-16-062**

**LIST OF EXHIBITS**

A. Donna Wells Exhibits

1. Request for Director's Review
2. Donna Wells Memo
3. Stephanie Marquis Memo
4. Kara Klotz Memo
5. Laura Walker Memo
6. Andre Eubanks Email #1
7. Andre Eubanks Email #2
8. Andre Eubanks Email #3
9. Andre Eubanks Email #4
10. Andre Eubanks Email #5
11. Andre Eubanks Email #6

B. OIC Exhibits

1. Employer Allocation Determination
2. Position Review Request - Employee
3. Position Review Request - Supervisor
4. Position Description, dated July 10, 2014
5. Class Specifications:
  - a. Communication Consultant 1
  - b. Communication Consultant 2
  - c. Communication Consultant 3
  - d. Communication Consultant 4
  - e. Communication Consultant 5
6. Organizational Charts:
  - a. Agency Overview
  - b. Agency Executives
  - c. Consumer Protection Division
  - d. Program Level – Consumer Advocacy
  - e. Program Level – Producer & Licensing
  - f. Program Level – SHIBA
  - g. Public Affairs Divisions
7. Position Description, dated February 22, 2010
8. Performance Development Plan, Expectations, Dated August 20, 2015
9. Q/A – Donna Wells, dated July 7, 2016
10. Handouts from Donna Wells, Received July 7, 2016
11. Q/A – Todd Dixon, Dated July 14, 2016
12. State HR Glossary of Classification Terms
13. State HR, Allocation Standard
14. WMS PD, Position 0419
15. WMS PD, Position 0303
16. WMS PD, Position 0327
17. Email from Kara Klotz, Dated July 26, 2016
18. Email from Stephanie Marquis, dated July 29, 2016

C. Class Specifications

1. Communications Consultant 1
2. Communications Consultant 2
3. Communications Consultant 3
4. Communications Consultant 4
5. Communications Consultant 5

D. Post-Conference Exhibits

1. Post-Conference Memorandum, Appellant
2. Post-Conference Memorandum from Joe Vidales, OIC
3. Post-Conference Memorandum from Todd Dixon, OIC