



STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
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June 15, 2016

TO: Connie Goff
Rules and Appeals Section Chief

FROM: Caroline Kirk
Director's Review Specialist

SUBJECT: Teresa Lazo v. Department of Social and Health Services (DSHS)
Allocation Review Request ALLO-16-101

Director's Determination

This position review is based on the work performed for the six-month period prior to August 17, 2016, the date that DSHS Human Resources (DSHS HR) received Teresa Lazo's request for reallocation. As the Director's Review Specialist, I carefully considered all of the exhibits and any closing arguments submitted by the parties. Based on my review and analysis of Ms. Lazo's assigned job duties; I conclude her position should be reallocated to the Administrative Assistant 3 (AA3) classification.

Background

On August 17, 2016, Ms. Lazo submitted a Position Review Request (PRR) to DSHS HR, requesting that her position be reallocated to the Administrative Assistant 4 (AA4) classification (Exhibit B-2). Ms. LeeAnn Delk, Supervisor, interviewed with Classification & Compensation Specialist, Dorothy Hibbard, on November 2, 2016. Ms. Hibbard also had a telephone conversation with Ms. Lazo on September 15 2016.

DSHS HR notified Ms. Lazo on December 5, 2016 that her position would not be allocated to the AA4 class but it was being reallocated from the Secretary Senior class to the AA2 class (Exhibit B-1).

On December 20, 2016, the Office of Financial Management, State Human Resources (OFM SHR) received Ms. Lazo's request for a Director's Review of DSHS HR's allocation determination, specifically a review of the exclusion from the AA3 class (Exhibit A-1).

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 is located in the Juvenile Rehabilitation Administration Region 1, Ridgeview Community Facility, within DSHS. According to the organization chart (Exhibit B-2) Ms. Lazo reports to LeeAnn Delk, Ridgeview Community Facility Administrator.

Position Purpose

Ms. Lazo describes her position purpose as:

Provide independent Administrator and Facility support. Assist Regional Business Center (RBC) with resolving billing issues and submitting invoices for payment, reconciling facility imprest account, bank accounts, purchase card and resident accounts. Back-up approver for Administrator and Supervisor in Leave Tracker, correct errors in time card/leave slip entries. Assist and facilitate staff questions to Human Resources. Assist Human Resources in hiring paperwork, NEO Orientation/Training/Policy/Procedures and other general duties; dispersing keys, setting up staff work stations, facility orientation.

Duties and Responsibilities (Exhibit B-2)

As summarized in Exhibit B-2, Ms. Lazo describes the percentage of duties performed as:

70% Provide direct, confidential, administrative support to the Administrator.
Maintain confidential administrative files.
Develop, modify and maintain financial and office documentation, office record keeping and filing systems.
Represent management and serve as the primary coordinator in assigned program areas including OSHA, Records Keeper, Employee Transportation Records Management, Learning Management [sic] System (LMS) and Automated Client Tracking (ACT).
Research, develop and edit reports, perform data entry and maintain electronic database, Independently prioritize work duties.
Prepare, Obtain and Provide documentation for safety audits.
Prepare, Obtain and Provide documentation for PREA audits.
Prepare, Obtain and Provide documentation for Department [sic] of Health Inspections and Audits.
Assign and Track Safety Training.
Work with Safety committee on completing and documenting disaster [sic] drills.
Assist staff with safety concerns or injuries, providing immediate forms to be completed and notifying administrator.
Monitor compliance to administrative policies and procedures.
Coordinate office operation to include but not limited to equipment purchases, report preparation and the annual "Enterprise Risk Assessment and Self-Evaluation" (Erase) project

Inform Administrator of all significant issues, including resident disturbances resulting in safety and security concerns.

Prioritize and complete assignments and resolve issues.

Compose, edit and type correspondence [sic] for the Administrator's signature,

Back up approver for Administrator and Supervisor in Leave Tracker.

Monitor and record Juvenile Rehabilitation (JR) youth complaints, including compliance with the federal standards of the Prison Rape Elimination Act (PREA). Upload mandatory client PREA documents into the JR Act system.

Maintain and Balance resident account ledgers, including Reconciling Resident Accounts.

Reconcile Community Facility bank accounts.

Report any discrepancies [sic] immediately to the administrator for resolution.

Resolve billing errors or concerns with RBC and community businesses. Respond to inquiries regarding procedures and services.

Initiate Purchase Orders and prepare billing for all aspects of the community facility including food, supplies, facility maintenance, clients services and other facility operations.

Maintain, monitor and evaluate fiscal records, complete and process requisitions, invoices and initiate corrections.

Track and record all resident and facility funds received.

Reconcile Purchase Card statement with purchase requests and usage log.

Track resident Urinalysis for billing reconciling, and send to RBC.

Attach verification form to results and file in resident case file (legal) and Job Corp/working file.

Report any positive Urinalysis to administrator, supervisor or staff for immediate resolution with client.

Responsible for assignment and distribution of Community Facility key sets to staff, maintain and update Key record. Maintain, and update PREA Response Manual, Resident Escape Manual, Safety Data Sheets (SDS) Manual and Facility Safety and Security Manual.

Perform complex duties using Word, Excel, sorting spreadsheets, and data files.

Independently prioritize work duties.

Screen calls and visitors. Serve as an initial [sic] point of contact for clients, community members, providers [sic] etc....Engage by phone or in person in a professional and responsive manner.

Use independent judgment to prioritize and complete assignments and resolve issues.

Create and track mandatory training courses in LMS for staff.

Prepare staff and safety meeting agendas, meeting minutes, correspondence, and other confidential program/client sensitive material.

Develop new work methods independently and in collaboration with staff.

Provide technical [sic] consultation to support staff.

Manage and inventory of equipment in accordance with Office policies and procedures.

Operate standard office machinery including computer, fax, copy, multi-line telephone, and postage equipment; perform routine set up, adjustment, and trouble-shoot.

Track and Input on call employees working hours in a statewide spreadsheet.

Schedule resident wellness physician appointments.

Interpret for families, counselors, parole officers and Administrators for family sessions and program needs as a Certified Interpreter. Complete bi-weekly schedules for all employees and find coverage for all staff when requesting vacation, calling in sick, attending trainings or to meet any program needs.

Structure & maintain Community Safety Board for compliance.

- 25% Print Candidates lists/Applications from NEO Gov site.
Schedule interviews for hiring processes, sending correspondence to recruiters and Human Resources.
Print, distribute, review and submit New Employee paperwork to Human Resources.
Complete and submit to Human Resources I'9 employment verification and required documentation.
Provide Unioncards [sic] to new staff/mail to union.
Act on behalf of the Administrator when completing the Risk Assessment and Self-Evaluation report.
Responsible for final distribution of resident mandatory legal notifications; Law Enforcement, School Notifications/Authorized Leaves via ACT and fax. File information in resident case files (legal).
Distribute and monitor compliance of Annual DSHS Employee forms, training, and evaluations completed. Send all records to Human Resources.
Request Vehicle Voyager fuel card usage for employees. Troubleshoot issues with motorpool [sic] regarding vehicle maintaince [sic], vehicle accidents and employee concerns.
Complete A19s for petty cash reimbursements send to RBC.
Maintain, update position descriptions.
Prepare and submit Work Schedule Changes.
Create User requests for new employees and keep updated ACT permissions for staff.
Coordinate and schedule facility repairs, including facilitating emergency repairs.
Maintain facility emergency and community provider phone lists.
Request Resident Medical Cards (Provider One).
Route and maintain records of Resident legal and medical files.
Respond to inquiries regarding departmental services and procedures.
Community Facility Records Contact and work closely with the Regional Records Coordinator to process requests.
Inventory Equipment.
Track & Update new employee User Cards
Track Graveyard Schedule. Submit monthly report to RBC.
Responsible for intake/update resident photo, including completing and filing the mandatory 'wanted person' posters.
Responsible for preparing new resident treatment manuals.
Expedite and maintain hazard & injury reports.
Track/investigate and report near misses.
Establish, maintain, and serve as contact for office accounts, lease, and equipment maintenance.
Screen, prioritize and distribute mail.
- 5% Assist staff when necessary or in emergent situations providing supervision/transportation of residents.
Emergent shopping for resident; ie: immediate purchases for resident, medication or clothing.

Summary of Ms. Lazo's Perspective

Ms. Lazo submitted her request for a Director's Review on December 20, 2016 (Exhibit A-1). Ms. Lazo stated that over the course of the review period she had been solely responsible for providing or arranging training for staff and promoted staff development. Directed by her supervisor, Ms. LeeAnn Delk, Ms. Lazo created classes in the Learning Management System (LMS), scheduled staff into all trainings, and gave completion credits and/or grades. Ms. Lazo also ran reports and tracked completed courses.

Ms. Lazo further stated that she performed budget preparation and fiscal management and was responsible for keeping the facility on target for their projected costs. She oversaw all accounts which included: petty cash fund; bank accounts and visa card; reconciled and submitted monthly reports to the regional business center and resolved billing errors with the regional business center and community business partners.

Additionally, Ms. Lazo stated that she oversaw resident accounts ensuring compliance with approved agency standards. This included reconciling resident accounts and sending monthly reports to the regional business center. She also oversaw purchases of supplies and equipment to ensure compliance with agency regulations, which entailed creating and submitting purchase requests for the facility and obtaining cost estimates for equipment needs.

In her closing statement, Ms. Lazo indicated that after reviewing the determination letter from Ms. Hibbard, she and her supervisor, Ms. Delk, did not agree with the determination of the AA2 decision. During Ms. Delk's interview Ms. Hibbard asked Ms. Delk which position she believed best suited Ms. Lazo's role, the AA4 or AA3 class. Ms. Delk agreed strongly that the AA3 class was the best fit.

Lastly, Ms. Lazo refuted Ms. Hibbard's claim that her position does not hold a "key major function and that the duties performed are not higher-level duties envisioned of the AA3 class." Ms. Lazo pointed out in her review request that although the resident count is lower they do not have HR payroll and timekeeping on site within their facility. Ms. Lazo further stated that her position is the only employee assigned to those duties and those duties are critically necessary to the facility and it would create significant adverse impacts to the facility if poorly performed (Exhibit A-2).

Summary of DSHS HR's Perspective

DSHS HR determined Ms. Lazo's duties did not reach the AA3 requirements of performing delegated, higher-level, varied administrative or secretarial support duties. Ms. Hibbard further stated that Ms. Lazo's supervisor is at the WMS Band II level and is a second-level supervisor, however, the duties performed by the position do not reach the higher-level duties of substantive nature envisioned at the AA3 level nor does the position perform a major program activity.

In her closing statement, Ms. Hibbard pointed out that both the AA1 and AA2 classes require incumbents to provide administrative assistance to the work unit and/or supervisor. She further stated that Ms. Lazo's position provided administrative assistance to the group home and Ms. Lazo's supervisor. She explained the work Ms. Lazo did in the daily operation of the group home is work that originates from Ms. Lazo's supervisor's position and Ms. Lazo had no authority to manage for the supervisor and the home; therefore, the level of responsibility the position had fits best within the AA2 class.

Comparison of Duties to Class Specifications

As stated in the Personnel Resources Board (PRB) case *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020 (2008), the hierarchy of primary considerations in allocating positions is as follows:

- 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.

Administrative Assistant 2

Definition

Provide administrative and staff support services for a section or unit with delegated authority to act in supervisor's absence in areas of substance.

Distinguishing Characteristics

These positions may be distinguished from lower level classes by addition of the delegation of authority to act for or in the regular place of the superior in substantive areas, and/or supervision of some professional or several clerical subordinates and a formal reporting alignment identifying the position as the principal administrative assistant to the superior who is at the first professional supervisory level or above.

In this case we do not have a Category Concept (Class Series Concept). I therefore look to the Definition, which states, "Provide administrative and staff support services for a section or unit with delegated authority to act in supervisor's absence in areas of substance." Ms. Lazo does provide administrative and staff support services for the facility and she does have delegated authority to act in her supervisor's absence. However, the level of Ms. Lazo's duties and responsibilities go far beyond the scope of the definition for the AA2 class.

The PRR (Exhibit B-2) shows the level of responsibility this position performs. It also shows that Ms. Lazo's supervisor agrees with the level of responsibility this position performs. The position has authority to review, make corrections and approve time cards in leave tracker. The position schedules and updates training in the LMS. The position schedules on call staff when needed to backfill permanent employees when absent. These responsibilities in themselves are justifiably beyond the scope of supporting the facility. These duties are major supervisory duties, which Ms. Delk has delegated Ms. Lazo the authority to perform these duties and if the duties are not or poorly performed, there would be adverse impact to the facility.

As mentioned in *Emerson v. Department of Transportation*, PRB Case No. R-ALLO-09-010 (2009), the opinion of other staff is not an allocating criterion; however, the opinion of Ms. Lazo's supervisor should be given appropriate weight. There is clear evidence in this matter that Ms. Lazo's supervisor agrees with the level of responsibility being performed, which is higher-level administrative support duties that require high-level coordination and understanding of her supervisor's work. Therefore, I conclude the AA2 classification is not the best fit for the position.

Administrative Assistant 3

Definition

Positions perform varied administrative and secretarial support duties or positions are responsible for one or more major program activities under a second line supervisor.

Distinguishing Characteristics

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 or in exempt service, chief administrator, or head of a major organizational unit such as a school, college, or major academic or administrative department. Only one position will be allocated to an individual second-line supervisor for those positions performing one or more major program activities.

A major program activity is defined as a function that is a major element of the supervisor's job. The duty must stand alone and would create significant adverse consequences if poorly performed. However, full delegation can't occur if the supervisor's position requires specialized licensure such as attorneys, medical doctors, and engineers.

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 development and/or management, expenditure control, office space management, equipment purchases, budget development and/or management, public relations, personnel administration, records management, and report preparation.

The overall scope and level of responsibility of Ms. Lazo's position and the majority of her duties align with the Definition and Distinguishing Characteristics of this class. Again, I must take into consideration the hierarchy of the allocating criteria outlined by the PRB in *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020 (2008).

As stated previously, there is not a Class Series Concept for the Administrative Assistant series. I therefore look to the Definition of the AA3, which states, "Positions perform varied administrative and secretarial support duties or positions are responsible for one or more major program activities under a second line supervisor." Ms. Lazo performs administrative duties that relieve Ms. Delk of day-to-day functions and administrative details/activities of the office. The majority of Ms. Lazo's work is best described as providing assistance to her supervisor by:

- Maintaining, updating and monitoring facility required employee records for DSHS/JR administrative policies and procedures.
- Scheduling maintenance service for repairs and cost analysis for repair work, this includes facilitating emergency repairs.
- Scheduling on call staff when needed to backfill permanent employees when absent. This includes tracking and inputting on call employees working hours in a spreadsheet documenting the reason for the backfill. This tracking also allows Ms. Lazo to monitor staff hours in an effort to reduce overtime hours.
- Initiates purchase requests and prepares billing for all aspects of the facility including food, supplies, facility maintenance, clients services and other facility operations.
- Develops, modifies and/or maintains financial and office documentation, office record keeping and filing systems.
- Inform Administrator of all significant issues, including resident disturbances resulting in safety and security concerns.

Ms. Hibbard did not deny Ms. Delk's statements that Ms. Lazo handles the on-boarding of new staff. This includes ensuring all forms are completed and submitted, conducting employee initial

orientation, giving employees keys, signing them up for computer access and any required training. It was also stated that Ms. Lazo's position deals with all recruitment and new hire paperwork. She also maintains staff files as well as resident files.

In addition to the above, Ms. Lazo's supervisor is a second-line supervisor, i.e., she supervises other supervisors. This was confirmed in Ms. Hibbard's determination letter (Exhibit B-1), which is a requirement of the AA3 class definition.

I then compared the duties performed by Ms. Lazo to the Distinguishing Characteristics of the AA3 class, which states in part "[p]ositions are delegated one or more major program activities that would be performed under a second-level professional supervisor ... A major program activity is defined as a function that is a major element of the supervisor's job. The duty must stand alone and would create significant adverse consequences if poorly performed ... delegated to the development and/or management, expenditure control, office space management, equipment purchases, budget development and/or management, public relations, personnel administration, records management, and report preparation."

As stated previously, there are several major program activities that Ms. Lazo is performing. If Ms. Lazo were not performing those activities or performing them poorly it would create significant adverse consequences to the facility. In addition, it is clear Ms. Lazo has been delegated one or more major program activities that would be performed under a second-level professional supervisor.

In addition to the duties described earlier, Ms. Lazo represents management and serves as the primary coordinator in assigned program areas such as OSHA, facility records management, LMS and automated client tracking. These duties along with the fact that Ms. Lazo schedules and tracks on-call staff, prove that if Ms. Lazo didn't perform or performed these duties poorly, it would have an adverse consequence to the facility.

The majority of Ms. Lazo's duties fit within both the definition and distinguishing characteristics of the AA3 classification. Ms. Lazo performs a variety of high-level administrative duties of a substantive nature and is responsible for the LMS training for all staff within the facility. In addition, Ms. Lazo is the liaison and primary contact with the public, colleagues, youth and families and other visitors. It is clear that Ms. Lazo is highly competent and performs her duties with professionalism and proficiency. However, position allocations are not based on an incumbent's competence; rather position allocations are based on the duties and responsibilities assigned to the position and how that work best aligns with the available job classes. In this case, the duties and responsibilities assigned to Appellant's position best fit within the AA3 classification.

Furthermore, 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 typical work statements that most closely align with the employees' duties and responsibilities include:

- Establishes procedures and interprets and applies administrative policies to the work of the unit;

- Evaluates costs and/or approves purchases for expenditures such as equipment, supplies, and furniture; develops cost estimates for equipment needs, space renovations, and projects;

Assists in devising unit standards/procedures to ensure adherence to policies regarding tasks such as budgeting, purchasing, and contract administration;

Coordinates, organizes, and/or directs the operation of a program or major program activity;

Represents management and serves as the primary contact in assigned program areas;

Prepares reports, budget, contract, or grant proposals;

Coordinates personnel issues such as recruitment, selection, appointment, and promotion;

Serves as a liaison between supervisor and other staff; members, relaying assignments and requesting status information;

Provides secretarial support to supervisor; coordinates office operations; keeps supervisor's calendar; makes travel arrangements; screens, prioritizes, and distributes mail; transcribes minutes, screens calls and visitors ...

The primary function of Ms. Lazo's position and the majority of her duties in their entirety fall within the scope and level of responsibility in the stated Definition and Distinguishing Characteristic for the Administrative Assistant 3 classification. Therefore, her overall level and scope of assigned duties and responsibilities are consistent with the Administrative Assistant 3 level work and therefore 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 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: Teresa Lazo, Appellant
Dorothy Hibbard, DSHS HR Classification & Compensation Specialist
Gregory Davis, WFSE

Enclosure: List of Exhibits

TERESA LAZO v DSHS
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LIST OF EXHIBITS

A. Teresa Lazo Exhibits

1. Director's Review Request
2. Support Statement

B. DSHS Exhibits

1. Allocation Determination Letter
2. Position Review Request with org chart for position XA28
3. Position Description Form for position XA28 received with PRR
4. Most recent Position Description Form on file for position XA28 with org chart
5. Notes of 9/15/16 phone meeting with Teresa Lazo
6. Notes of 11/2/16 phone meeting with LeeAnn Delk, Ms. Lazo's supervisor
7. Specification for Administrative Assistant 1 classification
8. Specification for Administrative Assistant 2 classification
9. Specification for Administrative Assistant 3 classification
10. Specification for Administrative Assistant 4 classification
11. DSHS Final Argument

C. Class Specifications

1. Administrative Assistant 2
2. Administrative Assistant 3