



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM

P.O. Box 40911 · Olympia, WA 98504-0911 · (360) 407-4101 · FAX (360) 586-4694

March 13, 2018

TO: Connie Goff
Rules and Appeals Section Chief

FROM: Caroline Kirk
Director's Review Specialist

SUBJECT: Kay Davis v. Western Washington University (WWU)
Allocation Review Request ALLO-17-054

Director's Determination

This position review is based on the work performed for the six-month period prior to April 12, 2017, the date that WWU Human Resources (WWU HR) received Kay Davis' request for reallocation. As the Director's Review Specialist, I carefully considered all of the exhibits and information obtained during the Director's Review conference. Based on my review and analysis of Ms. Davis' assigned job duties; I conclude her position should remain allocated to the Administrative Assistant (AA) 3 classification.

Background

On April 12, 2017, Ms. Davis' supervisor, Mr. Steven Card, submitted an updated Position Description (PD) to WWU HR, requesting that her position be reallocated to the AA4 classification. (Exhibit A-3)

WWU HR notified Ms. Davis on June 7, 2017, that her position would remain allocated to the AA3 classification. (Exhibit B-1)

On June 30, 2017, the Office of Financial Management, State Human Resources (OFM-SHR) received Ms. Davis' Request for Director's Review of WWU HR's allocation determination. (Exhibit A-1)

The Director's Review conference was held on January 25, 2018, via telephone. In attendance were Ms. Davis, Ms. Debby Cwalina, WWU HR, Ms. Chyerl Wolfe-Lee, WWU HR, Ms. Lea Aune, WWU HR, Mr. Steve Card, Supervisor, and Ms. Elyse Maffeo, Public School Employees.

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 (Exhibit A-4)

According to the organizational chart, this position works under the Athletics Department within WWU. Ms. Davis reports to Steve Card, Director of Athletics.

Position Purpose (Exhibit A-3)

As summarized in the PD, Ms. Davis' supervisor, Mr. Card, stated her position purpose is as follows:

This position is primarily responsible for the administrative support for the Director of Athletics and the business functions of the department. In addition, the position supports the Assistant Athletic Director for Compliance and Academics. As one of two administrative support positions (travel as the other), it supports all sport programs, training services, strength and fitness center, marketing and promotions, and sports information.

Duties and Responsibilities (Exhibit A-2)

As summarized in the PD, Ms. Davis' supervisor, Mr. Card, describes her percentage of duties performed as:

40% Administrative Management

- Work independently with little to no supervision and with discretion and emphasis on multitasking with numerous deadlines to manage the day-to-day office operations; develop and implement efficient office procedures and apply administrative policies to ensure smooth office operation; consult with and report to the Director as needed regarding department management issues.
- Interpret and convey the Director's requirements, interests and viewpoints within the campus community and to clients as needed to promote and maintain important relationships.
- Remain current on WA State regulations, WWU policies and procedures and National Collegiate Athletic Association (NCAA) guidelines and rules, to interpret and provide references and counsel as needed and relevant to department and program operations.
- Department liaison and coordinator for numerous business process changes across the university relating to changes in Marketplace procedures, Millennium upgrades and purchase (P)-card procedures.
- Approve e-forms submitted by or sent to Athletics, and track to verify accuracy and timely completion; follow up and take corrective action to solve problems; develop and maintain an electronic filing system for all e-sign forms.
- Determine needs and prepare Facilities Maintenance work orders to implement maintenance of facilities, and request transport services and surplus pickup, using the university's work order process FAMIS.
- Order, receive and distribute office supplies, equipment, furniture, computers, software, software updates, publications, reprints, books, CDs and other operating or sports-related supplies from off campus vendors, through Western Marketplace or using the P-card.

- Assess and determine current and future office needs to purchase technology and software, furniture and equipment; participate in the planning process for any other needs for the renovated Carver facility.
- Use P-card in compliance with the WWU Purchasing regulations and policies, and provide reference to these policies for various levels of division staff; reconcile P-card expenses with appropriate documentation and receipts using Payment Net.
- Identify and prioritize Western Foundation information on Athletics donors; compose and prepare thank you letters to donors and sponsors for monthly and annual mailings; liaison with the Western Foundation office.
- Manage the Director's appointments, travel schedule and meetings to ensure efficient use of the Director's time.
- Correspond with the Director's colleagues, clients and associates to schedule and arrange meetings, phone and videoconferences; schedule and coordinate all staff and head coaches meetings; prepare agendas and meeting materials.
- Reserve rooms through the EMS system or Outlook; anticipate and arrange for space to accommodate attendee numbers, media needs and arrange videoconference services, etc.
- Determine and process required forms for new Athletics personnel to set up payroll, university accounts, request necessary access to various university systems, long distance and Ethernet connections.
- Approve and order building entrance keys, individual office keys, locker room keys and keys to storage facilities for all department personnel; maintain log for all keys issued to Athletics employees.
- Maintain and manage files for expenses, revenues, contracts, personnel, travel, computer equipment, tuition waivers, scholarships, protect lists, National Letters of intent and NCAA compliance.
- Use independent judgment to conduct annual archive and/or destruction process of records, interpreting university and state retention policies and procedures to remain in compliance.
- Create sports contracts and game day agreements, coordinating with participating institutions to secure required signatures.
- Initiate and process staff and team registrations to conferences, training workshops and team tournaments; provide problem resolution for issues or discrepancies.
- Manager of department Outlook account used to access the parking portal to assign, maintain and update University Business 2-hour parking permits to department personnel.
- Screen calls and visitors; distribute mail; send and receive special order shipments via UPS, FedEx and USPS.
- Prepare letters, proofread and edit draft documents and reports for the Director and Associate Directors.
- Represent director and/or department on planning committees for various department and university special events; manage RSVP lists for Athletics special events; disseminate information and answer questions regarding special events.
- Primary back-up for the Travel Coordinate; act as delegate for the Travel Coordinator to approve and process travel authorizations and expense reports for all team and staff travel with budget of approx.. \$1 million; work with the university travel office to ensure compliance with university and state policies and deadlines; delegate for travel coordinator to review and reconcile travel related Payment Net charges.

25% Budgets

- Budget authority for all Athletic department budgets with a total Athletics operating budget of \$3.873 million, and self-sustaining budget of approx. \$400,000, with signature authority of up to \$30,000.
- Authorized as signatory to approve journal vouchers received from other campus departments as payments or corrective actions.
- Authorized to originate and process Journal Vouchers to transfer funds and expenditures; use independent judgement to make adjustments and corrective actions to ensure funds are posted to the proper budgets.
- Audit and approve expenditures, requisitions, orders, and payroll for accuracy and compliance with institutional policies and procedures.
- Independently determine and assign the appropriate fund and account codes and serve as signatory for check requests, requisitions, services reimbursements, invoice payments, journal vouchers and deposits.
- Primary liaison with the Enrollment and Student Services (ESS) division office regarding budget and internal control policies and tasks.
- Authorized P-card limit of \$50,000 per month and \$10,000 per transaction.
- Monitor expenditures and develop cost estimates of purchasing supplies, equipment, furniture or other needs; anticipate future needs and research to provide information and advice.
- Monitor department budgets including operating, foundation and self sustaining budgets, provide status reports and updates to the Director, Associate Directors and coaches as requested.

20% NCAA Compliance Assistant

- Serve as NCAA Compliance Assistant; provide confidential assistance and support to the Assistant Athletic Director for Compliance and Academics; interpret, remain current on and closely follow strict NCAA guidelines, procedures and policies.
- Post, update and adjust Athletic tuition waivers totaling \$1.283 million, and named scholarship awards for student athletes totaling \$291,000 using authorized Banner access and following university procedures and specific deadlines.
- Authorized signatory for Athletic Hold Override Authorization forms used by student athletes for add/drop of classes.
- Authorized access to official NCAA Eligibility Center website to student athlete recruits; determine and secure required signatures, following strict NCAA guidelines, procedures and critical deadlines.
- Send NLIs to recruits, review signed forms received back to determine if complete and for accuracy, and submit via entry to the NCAA Eligibility Center website, following strict NCAA deadlines and policies.
- Authorized confidential access to Admissions Specific Workflow in Noliweb (database) to interpret and provide admissions status of prospective student athletes to coaches.
- Authorized access to Banner and Web4U to provide quarterly grade reports, student schedules and periodic full-time status reports to coaches and administrators.
- Initiate Institutional scholarship forms for student athlete recruits; determine and secure required signatures fro forms.
- Primary liaison with the Scholarship, Admissions, Financial Aid and Registrar offices to access and update student information, and take corrective action to resolve problems.
- Generate, send and receive permission to contact memos and transfer tracer forms from other institutions, following specific NCAA guidelines.
- Maintain student athlete protect lists, logs and official documentation for student recruits with NLI's per NCAA guidelines.

- Maintain team rosters using specific Compliance Assistant program.

15% Personnel Administration/Supervisory

- Process and approve Athletics payroll, including approx.. 150 full time, part time and student employees, depending on the time of year. Use Banner and Web4U for complicated payroll data entry due to special pay rates, non-uniform status, one time pays, overtime rates, etc., reviewing all payroll documents for accuracy and taking corrective action as needed.
- Primary liaison with the Payroll and Student Employment offices.
- Initiate, prepare and update electronic personnel action forms for all Athletics Department positions, including graduate assistants, permanent and temporary staff, review for accuracy and completeness, track to verify timely completion, and take corrective action as necessary.
- Initiate and process EPAF student employment forms to hire work study students, department paid student interns and other department paid student employees; update and correct as necessary.
- Compose job descriptions and recruitment notices, review applicants' credentials, conduct interviews and hire 4-5 work-study students.
- Schedule, train, delegate and review assignments for, and supervise work study student office assistants; resolve any staff issues or complaints.
- Maintain and update all personnel records to meet university and state requirements.

Summary of Ms. Davis' Perspective (Exhibit A-1)

In her Director's Review request, Ms. Davis states that WWU HR omitted a number of duties that fall outside the AA3 class. Ms. Davis explained she is the AA for the Director of the Athletics Department and her role serves as the sole support for all administrative functions outside of travel. Her duties and responsibilities require her to remain current on Washington State regulations, WWU policies and procedures and NCAA guidelines. She acts as the Department's liaison and coordinates numerous business process changes related to marketplace procedures, millennium upgrades and p-card procedures. P-card procedures include reconciling p-card expenses with documentation and receipts using Payment Net. She assesses and determines future office needs for technology, software, furniture and equipment purchases, she is the liaison who identifies and prioritizes Western Foundation information on athletics donors and she composes thank you letters to donors and sponsors for monthly and annual mailings.

Additionally, Ms. Davis states she determines and processes required forms for new athletes to set up payroll, university accounts, and access to various university systems. This includes ordering building entrance keys, individual office keys, locker room keys and keys for storage facilities. Ms. Davis described how she uses independent judgement on records retention policies and procedures and creates sports contracts and game day agreements. Furthermore, she initiates and processes staff and team registration for conferences, training workshops, team tournaments, and acts as the primary back up for the travel coordinator.

Ms. Davis believes her duties associated with budget authority are outside the AA3 class as it consists of a \$3.873 million budget and she has signature authority up to \$30,000. Additionally, she has authorized p-card limit of \$50,000 per month and \$10,000 per transaction. She determines and assigns the appropriate fund and account codes and serves as signatory for check requests, requisitions, services reimbursements, invoice payments, journal vouchers, and deposits. Ms. Davis states she serves as the primary liaison with the ESS division regarding budget and internal control policies and tasks.

Ms. Davis believes the NCAA compliance duties she performs fall outside the AA3 class as she makes updates and adjustments for the athletic waivers totaling \$1.283 million, and scholarship awards for student athletes totaling \$291,000. Furthermore, she acts as the liaison for the Athletics Department with scholarship, admissions, financial aid and registrar offices to access and update student information.

These are not the full statements made in the Director's Review request; however, any statements made have been taken under consideration.

Summary of WWU HR's Perspective (Exhibit B-1)

In her determination letter, Ms. Cwalina states that WWU HR is aware of the Director's Review decision ALLO-15-025, which allocated Ms. Sunday Hull's position to the AA3 class. Ms. Hull's position is located in the Athletics Department and she reports to Mr. Card. Ms. Cwalina describes how the Director's Review decision in case ALLO-15-025 is instructive as to the level of work and authority expected by positions in the AA3 class. Ms. Cwalina pointed out that Ms. Hull is responsible for travel coordination on behalf of Mr. Card and for the Athletics Department. Additionally, Ms. Cwalina acknowledged there are significant differences between Ms. Hull and Ms. Davis' positions; Ms. Davis handles all administrative duties for the department, whereas Ms. Hull's position focuses exclusively on travel.

Ms. Cwalina states Ms. Davis has been delegated authority for day-to-day decision-making authority; however, the decision-making authority relates to the day-to-day duties, rather than the overall management of the duties. For example, Mr. Card has given Ms. Davis the delegated authority to handle more budgetary responsibilities than would typically be seen at the AA3 level, but Mr. Card retains control of budget planning and has final sign off for the budgets. Ms. Cwalina added that Ms. Davis has been delegated significant responsibility to ensure the administrative tasks for student athlete recruitments and ongoing NCAA compliances are complete to regulation, but Mr. Butch Kamena, Assistant Athletics Director, retains final authority to verify compliance.

Additionally, Ms. Cwalina explains the organizational structure of the Athletics Department best fit to the AA3 class as the Athletics Department does not have more than 75 full-time equivalent professional and/or classified staff, nor does it service responsibility for more than 4,000 full-time students or staff. Ms. Cwalina acknowledged the Athletics Department is an "outward-facing" unit, insofar as it conducts much of its interactions external to the WWU campus; however, it does not directly serve 4,000 students at WWU. Furthermore, Ms. Cwalina acknowledged the Athletics Department has institutional reach, meaning that any student can attend athletic events or interact with the Athletics Department; however, it does not have institutional-wide impact, such as the Registrar's Office, which is responsible for all student records and registration.

Lastly, Ms. Cwalina points out that Ms. Davis' position is not the sole administrative support and executive secretary reporting to the organizational head. There is another AA3 that coordinates travel for the Athletics Department and Ms. Davis does not directly provide that support, she is the backup.

Director's Review Telephone Conference

Mr. Card began the conference by explaining the Athletics Department went through a reorganization and during the reorganization, Mr. Card delegated additional duties to Ms. Davis. After the reorganization and reviewing the duties of Ms. Davis' position it became clear to Mr. Card that Ms. Davis had been delegated more authority; therefore, he submitted for the position review.

Ms. Davis added that she acts as the liaison and facilitates all of the official paperwork with student athletes. She ensures the students are preregistered with the NCAA and works with Mr. Kamena to ensure they have the information they need in order to get the students' documents signed and entered into the NCAA portal. Ms. Davis stated she is responsible for ensuring all students are registered and all the necessary information is obtained so the student athletes can start school on time. For example, Ms. Davis facilitates getting the information and certain forms together and obtaining signatures when needed.

Ms. Cwalina clarified her reasoning regarding why she determined Ms. Davis did not meet the "75 full-time equivalent professional and/or classified staff" requirement of the AA4 class. The payroll documentation provided (Exhibit A-12) shows there were 148 staff during the review period. Pursuant to the AA4 distinguishing characteristics requirement, Ms. Cwalina stated she counted the professional and classified staff and did not count student employees, which left 59 professional and/or classified staff. Ms. Maffeo countered by stating the payroll duties Ms. Davis performs are for the total amount of employees, and it does not matter whether they are student employees, classified, or exempt employees.

Ms. Davis described her budget authority duties, which has signature authority up to \$30,000 for purchases. For example, when coaches want to buy more equipment they go to Ms. Davis for the approval. This relieves her supervisor, Mr. Card, of receiving and approving purchasing requests. In addition, Ms. Davis stated she has a p-card where she is approved to purchase items up to \$50,000 per month. Mr. Card explained that he approves purchases which go beyond this amount. Additionally, since Mr. Card develops the budget, if there are any unusual purchasing requests that are outside of the budget, Ms. Davis brings them to him for review and approval.

Mr. Card stated they have 310 student athletes in the Athletics Department. However, being an outward facing department, they provide games to all WWU students and the public, which potentially serves 4,000 students. Ms. Cwalina countered by stating WWU HR does not agree. WWU HR believes that providing games is a service. Determining how many students attend when the public is also in attendance would be difficult.

Ms. Davis pointed to the word "typically" in the distinguishing characteristics of the AA4 class. Ms. Davis believes the word "typically" does not mean that a person must meet one of the qualifications exactly. Ms. Cwalina countered by stating the size and scope of the Athletics Department does not reach the specifications of the AA4; therefore, WWU HR does not agree with Ms. Davis' interpretation of the word "typically" because the specifications provide an idea of the size and scope of what a department would look like that falls within the AA4 class.

Ms. Maffeo stated "or" is used multiple times within the distinguishing characteristics of the AA4; therefore, Ms. Davis does not need to meet both the 75 FTE and the 4,000 student requirement. Ms. Maffeo asserted the 148 staff should be equivalent to the 75 full-time equivalent professional and/or classified staff as they are still employees.

Mr. Card closed by stating the critical nature of Ms. Davis' responsibility should not be overlooked. For example, if an athlete is deemed ineligible WWU could be in a situation where WWU would have to forfeit games, which becomes public and impacts the public image of WWU.

Ms. Cwalina closed by stating there is another AA3 within the department, which means Ms. Davis does not meet the AA4 distinguishing characteristics requirement of "sole administrative support in an organization." Ms. Cwalina stated the other AA3 provides travel assistance for the Athletics Department and travel is something a "sole administration support" would perform within the department. Ms. Davis countered by stating the duties of the other AA3 are a huge part of the department as the students are athletes and travel frequently. Ms. Davis stated the amount of time and effort that goes into scheduling and coordinating travel is a huge task, which is why there is one sole position within the department who handles travel. Mr. Card stated the Athletics Department spends roughly a \$1 million a year in travel, which makes it the biggest department within WWU that has the most expenditures. Mr. Card explained the travel coordination is very complex as they have 15 sports teams that travel throughout the year to different competitions and Ms. Davis does not have time within her schedule to perform travel duties as it is a significant amount of work.

These are not the full statements made during the Director's Review conference; however, any statements made have been taken under consideration.

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 4

Definition

Positions serve as the assistant on administrative matters to the head of a state agency, the head of a major sub-division or major operating location of an agency, or to the chief administrator or head of a major organizational unit such as a school, college, or major academic/administrative department.

Distinguishing Characteristics

Positions perform higher-level administrative duties of a substantive nature that are appropriate to be performed by the supervisor, manager, administrator, or professional level employee but have been delegated the administrative assistant to perform. Positions in higher education may provide direct confidential secretarial support to a unit head or administrator. For general government positions, secretarial or clerical duties are incidental to the administrative functions performed.

For those positions in a major organizational unit such as a school, college, or major academic/administrative department, the "unit" will typically have more than 75 full-time equivalent professional and/or classified staff; OR service responsibility for more than 4,000 full-time students or staff; OR in the regional universities, college and community colleges, positions serve as the sole administrative support in an organization that has institution-wide responsibilities; OR positions serve as both sole administrative support and the executive secretary reporting to the organizational head. These positions are assigned to major units, with institution-wide responsibility, that have no assistant directors, deans or managers who would share the administrative duties of the position.

There is not a Category Concept (Class Series Concept) for the AA series. Therefore, as stated in *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020, I looked to the Definition, which states, "Positions serve as the assistant on administrative matters to the...head of a major organizational unit such as a school, college, or major academic/administrative department." Ms. Davis meets the Definition, as she is the "assistant on administrative matters" to the division's head of a major organizational unit.

Pursuant to *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020, I then looked to the Distinguishing Characteristics, which provides three examples of what a "major organizational unit" would look like. There was discussion during the Director's Review conference surrounding the word "typically" and Ms. Davis interprets that to mean the numbers in the Distinguishing Characteristics do not need to be exact and exceptions could be made.

The first "OR" of the Distinguishing Characteristics states, "...have more than 75 full-time equivalent professional and/or classified staff." The Athletics Department does not employ at least "75 full-time professional and/or classified staff." The payroll documentation (Exhibit A-12) demonstrates there are 148 staff. However, only 59 of those are "professional and/or classified staff," the other employees are student employees. The numbers provided in the Distinguishing Characteristics in most cases would be around 75 full-time professional and/or classified staff and the Athletics Department only has 59 professional and/or classified staff. Additionally, while there are 148 total employees, the requirement of the first qualifier in the Distinguishing Characteristics is clear in that we would only count the professional and/or classified staff. In reviewing other class specifications higher education employers would use for their employees, I found not all are unique like this and other class specifications do not call out "professional and/or classified" staff; therefore, making this language clear of its intent.

The second "OR" of the Distinguishing Characteristics states, "...service responsibility for more than 4,000 full-time students or staff." During the Director's Review conference it was stated the Athletics Department has 310 full-time student athletes. Ms. Maffeo and Ms. Davis stated the Athletics Department "services" more than just athletes as they are an "outward-facing" unit and most of their interactions are external to the campus. However, even though the Athletics Department is an "outward-facing" unit, it does not directly serve 4,000 students as the Athletics Department only has 310 full-time students within the department.

The third "OR" of the Distinguishing Characteristics states, "...positions serve as both sole administrative support and the executive secretary reporting to the organizational head." Ms. Davis is the executive assistant to the organizational head, Mr. Card. However, she is not the "sole" administrative support. There is another AA whose duties provide the travel logistics for the Athletics Department. Ms. Davis is the backup for the other AA; however, travel logistics are not her primary duties. Considering the uniqueness of the Athletics Department as it is a major organizational unit within WWU, there is still no way to reallocate Ms. Davis' position to the AA4 class as the class specifications are clear on what the organizational unit should look like. The

Athletics Department does not reach the intended level and scope of the organizational unit described within the AA4 class.

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 administrative assistant** to perform. **Areas may include** but are not limited to, the following: **budget 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.** [Emphasis added]

Incumbents in these positions represent the supervisor's and/or unit's goals and interests and provide interpretation or explanation of the supervisor's policies or viewpoints.

As stated previously, there is not a Class Series Concept for the AA series. Therefore, as stated in *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020, I looked to the Definition, 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." [Emphasis added] Ms. Davis performs various higher-level administrative duties for Mr. Card, who is the head of a major program, the Athletics Department.

Pursuant to *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020, I then looked to the Distinguishing Characteristics which states, "...positions are delegated one or more major program activities that would be performed under a... head of a **major organizational unit... A major activity is defined as...major element of...supervisor's job...would create significant adverse consequences if poorly performed...duties of a substantive nature that... have been delegated to the administrative assistant... Areas may**

include... **budget management, expenditure control...equipment purchases...public relations, personnel administration...**" [Emphasis added]

The Athletics Department within WWU is a **major organizational unit**, and the Distinguishing Characteristics provide an outline of what duties would be delegated in this type of major organizational unit. The major elements Ms. Davis has been delegated are the signature authority up to \$30,000 per month for purchases, for example, when coaches want to buy more equipment. In addition, Ms. Davis has spending authority up to \$50,000 per month on the purchase card. Ms. Davis manages the Athletics Departments budget within an authorized area and Ms. Davis monitors the department's expenditures and develops cost estimates for purchasing supplies, equipment, furniture and other needs. While Ms. Davis has purchasing authority she does not develop the budget and if any request deviates from the budget or her spending authority she must take those requests to her supervisor, Mr. Card. Another major element delegated to Ms. Davis is working with the NCAA. For example, Ms. Davis assists Mr. Kamena and coordinates with the NCAA to ensure all the information needed for students' has been received and entered into the NCAA portal. The duties and responsibilities delegated to Ms. Davis are major and it would create significant **adverse consequences** if Ms. Davis **poorly performed** the duties. For example, if an athlete is deemed ineligible WWU could be in a situation where they would forfeit games, which generally becomes public and could potentially impact WWU's public image. [Emphasis added]

The AA3 and AA4 classes both say "major organizational unit." While Ms. Davis fits within the Definition of the AA4 based on the Athletics Department being a major organization unit, the AA3 also fits as the Athletics Department is a major program. The difference between the two classes can be found in the Distinguishing Characteristics. The AA4 provides an example of the intended size the major organizational unit would look like and Ms. Davis' position does not fit within that size. Comparing the duties and responsibilities of the AA3, the majority of the descriptions in the Distinguishing Characteristics meet the duties and responsibilities of Ms. Davis' position. Ms. Davis manages the budget within the Athletics Department; she controls expenditures and equipment purchases. However, she does not develop the budget and works within an authorized spending area. If requests deviate from her authorized limit she must take those requests to her supervisor for review and approval. Ms. Davis interacts with public relations as she works with the NCAA to ensure student athletes are in compliance with regulations.

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 Ms. Davis' duties and responsibilities include:

Formats transcription from rough draft, shorthand, speedwriting, or recording equipment; takes meeting minutes; composes and keyboards or types letters, meeting notices, and agendas; compiles and produces reports, studies, manuscripts, applications, financial statements, schedules, test materials, evaluations, and other documents;

Proofreads material making corrections for sentence structure, spelling, grammar, and punctuation;

Resolves problems and responds to inquiries regarding procedures and services; answers telephones; receives, screens and refers visitors;

Establishes or revises electronic or manual files;

Attends meetings on behalf of supervisor(s) or work group; represents supervisor or work group in supervisor's absence;

Relays messages and instructions from the supervisor(s) to others;

Maintains supervisor's calendar(s) and makes appointments; schedules and arranges meetings; makes room reservations;

Makes travel arrangements for supervisor(s) and staff; and maintains records of travel itineraries; compiles final travel expense reports;

The primary function of Ms. Davis' position and the majority of her duties in their entirety fall within the scope and level of responsibility in the stated Definition and Distinguishing Characteristics for the AA3 classification. Therefore, her overall level and scope of assigned duties and responsibilities are consistent with the AA3 level work.

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: Kay Davis, Appellant
Debby Cwalina, WWU HR
Elyse Maffeo, PSE

Enclosure: List of Exhibits

KAY DAVIS v WWU
ALLO-17-054

LIST OF EXHIBITS

A. Kay Davis Exhibits

1. Request for Director's Review
2. Emails re: Authorized Access Documentation
3. Copy of Manual Cover and Table of Contents
4. Emails re: Documentation of NLI Training Sessions and Teleconference on NLI Education
5. Membership Reports – Feedback Survey Participation
6. Examples of Tasks/Duties as Compliance Assistant
7. ACP Certification
8. Permissions to Contact
9. Transfer Forms
10. Forms Used for Student Course Add/Drop Authorized Signatory
11. NCAA Eligibility Center's Annual Membership Report
12. Payroll Documentation
13. Purchasing Authorities Query
14. Budget Authority Authorization Form – JV Authority
15. Email Requesting P-Card Limit Increase
16. Open/Blanket Order Renewal Form – Higher Limit Budget Authority
17. Temporary Change Fund Form – Authority as Financial Manager
18. Accounts Payable – High Level Payment/Purchase Authorization
19. Purchase Requisition Forms
20. Documentation of Access to Admissions Applications
21. Banner Admissions Access (Admissions, Transcripts, Grades)

B. WWU Exhibits

1. WWU Allocation Determination Letter
2. Employee Approval of Facts in Employee Summary of Interview Section in WWU Allocation Determination Letter
3. Employee Position Description (and Task List) Signed by Employee and Supervisor (April 12, 2017)
4. Employee's Organizational Chart
5. Employee's Previous Position Description (May 5, 2014)

C. Class Specifications

1. Administrative Assistant 3
2. Administrative Assistant 4