



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM

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August 4, 2016

TO: Kristie Wilson  
Rules and Appeals Program Manager

FROM: Christa Biasi  
Director's Review Specialist

SUBJECT: Bob Bennett v. Washington State Department of Transportation (WSDOT)  
Allocation Review Request ALLO-16-014

**Director's Determination**

This position review is based on the work performed for the six-month period prior to September 16, 2015, the date WSDOT Human Resources (WSDOT HR) received Bob Bennett's request for reallocation. As the Director's Review Specialist, I carefully considered all the exhibits, any written communication provided and the information obtained during the Director's Review Conference. Based on my review and analysis of Mr. Bennett's assigned job duties; I conclude his position is properly allocated to the Maintenance Specialist 4 classification.

**Background**

On September 16, 2015, Mr. Bennett submitted a Position Review Request (PRR) (Exhibit B-6) to WSDOT HR (Exhibit B-4).

By memorandum dated February 24, 2016, Kenneth Irons notified Mr. Bennett that his position remained allocated to Maintenance Specialist 4 classification (MS4) (Exhibit B-1).

On March 8, 2016, Office of Financial Management, State Human Resources received Mr. Bennett's request for a written Director's Review of WSDOT HR's allocation determination (Exhibit A-1).

The Director's Review Conference was held on July 21, 2016, by telephone. In attendance were Mr. Bennett, Mr. Irons and Andy Blomberg.

**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**

Mr. Bennett's position is located in the Northwest Region Facilities Branch (NWR) of WSDOT. He is primarily responsible for the Dayton Avenue facility. He reports to Annie Morris, Maintenance Specialist 5.

### **Position Purpose**

As summarized in the PRR (Exhibit B-6), Mr. Bennett believes his position should be allocated to the Maintenance Supervisor 3 class and states the following:

"In my opinion this position most closely represents my responsibility's [sic] of Supervision, Training, maintenance, and Operation of our Large Physical Plant, as well as the campus that is the Northwest Regional Headquarters complex."

He further states his position purpose is:

My position serves as the Supervisor of Facilities for the Northwest Region Headquarters Campus. I am responsible for the environment that allows our regional decision makers to perform their duties in a safe, comfortable, work space. Part of that includes, Supervising the crew that Operates and maintains the physical plant, which consists of Boilers, Chillers, Large fans, cooling towers, large pumps, valves and a DOC system that allows me to operate all the above. I supervise 2 employees, all of the time and one day a week I have region wide responsibility's supervising 11. I also take standby responsibility's 50% of the month. Which is region wide responsibility.

### **Duties and Responsibilities/ Position Review Request (Exhibit B-6)**

- 40% As delegated by the Facilities Maintenance Supervisor, Supervises crews in a specific geographical area and /or directly manages specific projects including assisting in or direct responsibility for yearly performance evaluations and disciplinary action.
- 25% Using a computerized maintenance management system (CMMS) schedule crew preventative and corrective maintenance work. Writes new service requests for corrective work and issues daily work assignments for the facilities maintenance crews or vendors and assigns correct accounting charge codes. Closes service requests in the CMMS when completed. Schedules PM tour itinerates and work packages, and coordinates travel accommodations.

- 8% Reviews conditions in the field to identify the corrective or preventative maintenance required. During the work, reviews projects to assure compliance with facilities and safety standards. Following completion of the work, reviews projects for quality assurance. Annually reviews sites to contribute to the facilities assessment process.
- 12% Communication in writing, and Orally with NWR Facilities employees, site tenants and their supervisors, regional and state level management contractors and vendors. Helps translate customer concerns into reasonable actions that NWR Facilities can take to provide needed work environments, in consideration of available funding, staffing and policies.
- 10% Acting Facilities Regional Maintenance Supervisor: Act in place of the Regional Facilities Supervisor when they are on leave and/or unavailable, shares on-call duties for after hour call outs and emergencies, in that capacity, delegates work to technicians according to NWR facilities policies, approves time cards and pay vouchers.
- 5% Act in place of the Regional Facilities Maintenance Supervisor when they are on leave and/ or unavailable, Shares on-call duties for after hour call outs and emergencies [sic], In that capacity, delegates work to technicians according to NWR Facilities policies, Approves time cards and pay vouchers. 5% Provide expert witness testimony in court or by deposition regarding assigned patients as requested/subpoenaed.

### **Summary of WSDOT HR's Perspective**

1. *Allocation Determination Memorandum Dated February 11, 2016, Exhibit B-1*

In his memorandum to Mr. Bennett, Mr. Irons states the following:

On September 16, 2015, your local Human Resources Office received your request to review the allocation of your Maintenance Specialist 4 (MS 4) position. You believe the Maintenance Supervisor 3 (Super 3) classification best describes your position. After careful consideration, I have determined your position should remain a MS 4. The position appears to be properly allocated. This decision is not a reflection of your performance, knowledge, or ability to perform higher-level work. It is a determination based upon the assignment of work matched to the existing class allocation criteria.

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### **Allocation Decision**

I examined the information you submitted and reviewed the MS 4, Maintenance Specialist 5 (MS 5), and Super 3 classifications. Based on my review of these classes, information in your Classified Position Description (CPD) and information gathered through the desk audit process, I have determined the Maintenance Specialist class series best describes the overall duties and responsibilities of your position. Therefore, I must deny your reallocation request to Super 3. Your position remains appropriately allocated to the MS 4 classification.

## **Position Analysis**

My analysis includes determining how your reallocation request meets the Concept, Definition, and Characteristics of the proposed Super 3 class.

There is no Class Concept for the Super 3 series. The Class Definition describes an organizational structure consisting of a physical plant department and major functional units within that department. The Class Definition clarifies the position's role as planning, directing, and supervising the activities of a major functional unit in the physical plant maintenance department. You state this definition best describes your position. You explain you supervise the largest facility within WSDOT, including its physical plant components. You state you act as the local facilities representative for installing, testing, and commissioning large projects like the NWR HQ boiler replacement and new TMC building. You acknowledge HQ Facilities' role in these large projects and describe it as scoping, bidding, and making purchasing decisions.

Currently, there are ten (10) Maintenance Supervisor 3 positions in Washington State government agencies. There are none at WSDOT. You acknowledge the NWR Maintenance Office, Facilities Branch is a major functional unit of the NWR Maintenance Operations. You confirm the Facilities Manager reports to the NWR Maintenance ARA through the Maintenance Manager and that your supervisor reports to the Facilities Manager. You point out prior to your position's downward reallocation in March 2010, your position and your supervisor's position each reported to the Facilities Manager and had separate geographic responsibilities.

My analysis of your current duties indicates you do not meet the Super 3 classification definition of supervising a major functional unit in a physical plant maintenance department. You concede your position now is primarily responsible for the NWR HQ building and new TMC and not for a separate geographical area as it had been prior to its 2010 downward reallocation.

You stress you develop weekly plans for your crew and schedule periodic maintenance activities but admit you coordinate these activities with your supervisor and manager. You confirm you work under general supervision and supervise others who perform manual labor. You report your position does not take corrective action nor does it have budget responsibility. You describe having purchasing authority up to \$5,000.

My review of the Super 3 typical work activities reveals you 1) do not perform these duties, 2) do not perform them in their entirety, or 3) do not perform them at the level indicated in the Super 3 classification.

The Super 3 class notes the position's responsibilities include supervision over trades or maintenance supervisors. You state you supervise two employees, a Maintenance Mechanic 3 and a Maintenance Mechanic 1. You note one day per week you have region-wide responsibility and provide guidance for up to 11 additional employees when your supervisor is off duty.

The MS 4 Definition states, in relevant part, this is the supervisory level of the series. Supervises a variety of journey-level trades' workers or general maintenance mechanics performing work on physical plant, campus buildings, grounds, or equipment. You indicate you supervise a journey-level trades worker and a general maintenance mechanic performing work on the NWR HQ building and now, the NWR TMC. These duties more closely match the Definition of the MS 4 classification than the Super 3 classification. Moreover, the Key and Other Work Activities you list are the same as those listed on your current MS 4 CPD which would substantiate that your position is correctly placed in the MS 4 classification.

### **Summary of Mr. Bennett's Perspective**

#### *Request for Director's Review (Exhibit A-1)*

Mr. Bennett in his Request for Director's Reviews states the following:

My main reason for the re-allocation, I feel has perhaps not been articulated as well as it should have. I feel that the Maintenance Specialist 4 position description has never been an accurate description of my position. I know of no one else within DOT that has the responsibility for the Physical Plant, both Size and scale that I have, The Dayton Ave. campus, has the most complex as well as the most technologically advanced equipment in the Department, State wide. That being said, we would definitely qualify as a Physical Plant. Of which I am the Supervisor.

I supervise a campus wide crew, One of which is a Maintenance Mechanic III, (Journey level tradesman) the other person is entry level. Maintenance Supervisor III states that I have responsibility over Trades (or) Maintenance Supervisors. It doesn't say I have to do both,

The Characteristics of the Maintenance Supervisor III, also state that these positions are found at "The Largest Institutions" of which the Dayton Building is the largest single Building in the Department of Transportation State wide.

I believe I was short changed, when I was handed this responsibility 6 years ago, my predecessor was classed as an MS-5, so the Manager de-classed the position to an MS-4 (Trying to save a buck) and I understand that, that is why I stuck it out for 6 years, but I feel it is time to be as accurate as possible.

So to recap, this re-allocation isn't as much about a change in duties, as it is an ongoing responsibility's that warrants a higher classification. This is all about responsibility. Responsibility of

- 5 major air handlers, one 300 horsepower (HP) 165,000 cubic feet per minute (CFM) one 150 HP 85,000 CFM three 50 HP 45,000 CFM each
- Two 300 Ton centrifugal Chillers, with associated pumps, valves, Cooling towers.
- Three 50 HP state of the art hot water Boilers, with related pumps, piping and valves.
- 27 state of the art Mitsubishi city multi systems (heat pumps)
- A Computer based operating system to control all the above.

I am also responsible for Air compressors, Generators, Elevators, Fire systems ... and that is just the physical Plant. Add to that, normal building maintenance of 165,000 square feet that houses 450 employees, multiple organizations, and disciplines, and recently added to the mix is the new TMC, an ultra-modern super critical 24/7 operation that requires a great deal of time and understanding.

Now hopefully you are beginning to understand what it is that I do, and the difference between a (Sign installer). That is what the Maintenance Specialist 4 was designed for and a Maintenance Supervisor III (Physical Plant Supervisor).

Furthermore, Mr. Bennett asserts the MS 4 class is more aligned with someone that is a supervisor for a sign shop within WSDOT. His reasoning behind this assertion is twofold. One, MS 4 class definition states in part, "Supervises a variety of journey-level tradesworkers or general maintenance mechanics performing work on physical plant, campus buildings, grounds, or equipment; **or manages the Department of Transportation Central Sign Shop and supervises the fabrication and distribution of all types of transportation signing throughout the state.**" Secondly, Mr. Bennett believes the WSDOT Performance Management Program Performance Competencies for the MS 4 – Highway Maintenance outline the MS 4 positions within WSDOT as sign shop supervisors. Therefore, he does not fit into the MS 4 class.

Additionally, Mr. Bennett further contends the definition of the MS 3, which states, "Plan, direct, and supervise the activities of a **major functional unit** in the physical plant maintenance department" that a "major functional unit" can also be defined as maintaining the boilers, chillers, large fans, etc. rather than only defining "major functional unit" as a large group of employees in a specific unit or region. Mr. Bennett also indicates that his unit is a major functional unit because, if his unit was not at the Dayton Avenue Building, the campus would not be functional.

Lastly, Mr. Bennett contends that one of the reoccurring reasons his request for reallocation was not approved is that his reallocation would cause a salary inversion of he and his supervisor.

### **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.<sup>1</sup> Typical work is not an allocating criterion, but may be used to better understand the definition or distinguishing characteristics. (See *Kristen Mansfield v. Department of Fish and Wildlife*, PRB Case No. R-ALLO-11-014, 2014).

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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.

### **Maintenance Supervisor 3**

#### **Definition**

Plan, direct, and supervise the activities of a major functional unit in the physical plant maintenance department.

#### **Distinguishing Characteristics**

Positions allocated to this class are responsible for supervising a department such as campus repair, preventative maintenance, residence hall maintenance, housing maintenance, etc. Such positions normally report to a Maintenance Superintendent, or equivalent, and are found at the largest institutions. Responsibility includes supervision over trades or maintenance supervisors.

Although Mr. Bennett's position is located at the Dayton Avenue Facility, he is not responsible for planning, directing and the supervision of a major functional unit in the plant maintenance department. It is acknowledged the Dayton Avenue Facility is one of the largest buildings within the Northwest Region Facilities Branch, however, the size of the building does not equate to a major functional unit nor does the maintenance of the building's boilers, generators, fire systems, etc. that he and his subordinates are charged with maintaining. Mr. Bennett's duties do not include the primary responsibility for assisting in the coordination and direction of the total construction and maintenance activities of the Northwest Facilities Branch as required.

While Mr. Bennett's position is responsible for supervising two employees (Maintenance Mechanic 3 and 1), he is not responsible for the supervision of the department (or the Northwest Region Facilities Branch) such as campus repair, preventative maintenance, residence hall maintenance, housing maintenance, etc. as outlined in the Distinguishing Characteristics. Nor does he report to a Maintenance Superintendent or the equivalent, rather he reports to a Maintenance Specialist 5 a majority of the time. Furthermore, as stated in the Distinguishing Characteristics, "Responsibilities also includes supervision over trades or maintenance supervisors," Mr. Bennett does not supervise any trades or maintenance supervisors. While Mr. Bennett contends that he does supervise two employees who are working in trades, they are not trades supervisors as defined by the class. Mr. Bennett develops weekly work plans for his crew and schedules periodic maintenance activities, however, these duties are coordinated with his supervisor and manager. Mr. Bennett does not take corrective action nor does he have budget responsibility.

Although Mr. Bennett does supervise the largest facility within WSDOT and acts as the local facilities representative for installing, testing and commissioning large projects such as boiler replacement, Mr. Bennett's supervisor as well as the Facilities Manager (Andy Blomberg) have the responsibility for bidding and making purchasing decisions. Furthermore, Mr. Bennett's primary responsibility is for the Northwest Headquarters Building and new TMC building and not for a separate geographical area.

In total, this limits the scope of Mr. Bennett's overall level of responsibility of planning, directing and supervision of a major functional unit in the physical plant maintenance department. The level of responsibility Mr. Bennett has for these activities does not fully reach the MS 3 class.

His position does not encompass the breadth of responsibility and decision making authority required for allocation to the MS 3 class, therefore, his position should not be allocated to this class.

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

### **Maintenance Specialist 4**

#### **Definition**

This is the supervisory level of the series. Supervises a variety of journey-level tradesworkers or general maintenance mechanics performing work on physical plant, campus buildings, grounds, or equipment; or manages the Department of Transportation Central Sign Shop and supervises the fabrication and distribution of all types of transportation signing throughout the state. Some positions supervise field operations on construction and maintenance projects either state-wide or for a specified program. Develop, implement, and monitor training. Implements and evaluates workflow priorities. Develops and disseminates instructions and information to unit personnel. Organizes, conducts and facilitates staff meetings.

There are no Distinguishing Characteristics for this classification.

Mr. Bennett's position does have some region-wide responsibilities one day per a week when his supervisor is out of the office. This supervision is done in concert with the Regional Facilities Manager. His position provides oversight and administration of the daily activities for the Dayton Avenue and TMC Facility. This scope of responsibility generally aligns with the definition's statement of supervising a variety of journey-level tradesworkers or general maintenance mechanics performing work on physical plant, campus buildings, grounds or equipment.

Mr. Bennett does not have full, independent responsibility for approving major deviations to major work assignments or projects and he does not have independent decision-making authority to affect those outcomes. During the review conference Mr. Bennett indicated he consults with his supervisor to seek approval for unforeseen cost issues or other factors affecting the completion of maintenance activities or projects. As a whole, the overall scope of Mr. Bennett's assigned duties and the level of decision making authority fall within the requirements of this class.

Typical work is not an allocating criterion, but may be used to better understand the definition or distinguishing characteristics (See *Kristen Mansfield v. Department of Fish and Wildlife*, PRB Case No. R-ALLO-11-014, 2014). The following typical work statements provide examples of work performed at this level:

Supervise full-time journey and/or lead workers in installation, repair, maintenance and alteration of plant facilities and equipment; read plans and blueprints; determine scope of work, materials needed, their cost and availability;

Assist in the development of the departmental budget; select, train and evaluate employees; participate in employee discipline; order materials and maintain an adequate inventory of required materials to carry on shop or maintenance work; supervise preventative maintenance on buildings and facilities; enforce safety rules and regulations; maintain records on work performed; write reports as required;

Assist in overseeing craft supervisors in construction and maintenance activities; follow up on departmental inquiries and complaints to effect remedial actions and timely project completions; collaborate with physical plant management personnel to coordinate engineering functions with construction and maintenance activities; review, write and schedule work orders and maintenance requests for all crafts and balance manpower requirements with manpower availability; assist in building inspections and data collecting to determine necessary repairs and project costs, assist in budget preparation for physical plant operations; conduct surveys, analyze systems and prepare reports on maintenance, construction, planning and estimating, utility production, motor pool, budgetary and related activities; prepare and maintain physical plant operational, property inventory and space inventory records;

Manages inventory levels to assure adequate supply within budget restraints;  
Conducts periodic employee safety and training meetings;

Mr. Bennett's position most accurately aligns with this class and more appropriately within the scope of work described by these statements.<sup>2</sup>

For example, Mr. Bennett supervises journey workers in the installation, repair, maintenance and alteration of facilities and equipment for the Dayton Avenue and TMC Buildings, which at times includes the supervision of NWR facilities when his supervisor is either off or on leave. He reviews conditions in the field with the maintenance staff to identify additional corrective or preventative maintenance actions as needed.

In addition, as stated in the Classified Position Description for his position, Mr. Bennett communicates in writing and orally with NWR facilities employees, site tenants and their supervisors, regional and state level management contractors and vendors. He also helps translate customer concerns into reasonable action that NWR Facilities can take to provide needed work environments, in consideration of available funding, staffing and policies. He oversees and reviews work to ensure work orders and projects comply with industry and quality standards. Mr. Bennett supervises assigned NWR facilities maintenance staff and assists them in diagnosing and completing maintenance work orders and repair problems.

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<sup>2</sup> As with most positions with the civil service system occasionally perform duties that appear in more than one classification. When determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety... the position must be allocated to the classification that provides the best fit overall for the majority of the position. *Dudley v. Dept. of Labor and Industries*, PRB Case No. R-ALLO-07-007 (2007).

Mr. Bennett uses agency's CMMS system to manage data and equipment inventory. He writes corrective and preventative service requests and draws reports. He works closely with his supervisor Ms. Morris to ensure Dayton Avenue Facility maintenance activities are operating within budget.

Most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. See *Dudley v. Dept. of Labor and Industries*, PRB Case No. R-ALLO-07-007 (2007).

Based on the primary focus of Mr. Bennett's position and a review of his assigned duties and responsibilities to the relevant job classes, his position is more accurately aligned with the requirements of the MS 4 class.<sup>3</sup>

Mr. Bennett's position should remain allocated to the MS 4 class.

### **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.

c: Bob Bennett, Appellant  
Kenneth Irons, Classification and Compensation Specialist

Enclosure: List of Exhibits

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<sup>3</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 [his] position.

**BOB BENNETT v DOT**  
**ALLO-16-014**

**LIST OF EXHIBITS**

A. Bob Bennett Exhibits

1. Letter of Appeal dated 3/8/2016
2. Letter of Rebuttal dated 3/23/2016
3. Performance Competencies MS-4, 596KMA01
4. Class Specification Maintenance Supervisor 3
5. Picture, 300 ton Chillers
6. 10 ton condenser unit for size comparison
7. 10 ton a/c unit for size comparison
8. Chilled water pumps, size and scale of plant
9. Back of boilers
10. Front of Boilers
11. Heating water pumps
12. 300 Horse power 145,000 cfm main fan
13. 150 Horse power fan
14. 50 Horse power exhaust fan
15. 50 horse power exhaust fan
16. 50 horse power exhaust fan
17. Letter for request of extension of annual leave

B. DOT Exhibits

1. Position Review Determination Letter dated 2/11/16.
2. Summary of Requested Classified Position Action.
3. Summary of Proposed Classified Position Action.
4. General Service Classified Position Description date stamped 9/16/15.
5. General Service Classified Position Description date stamped 6/8/10.
6. Position Review Request Employee Portion.
7. Position Review Request Supervisor Portion.
8. Job Classes Matrix – MS 4, MS 5 & Maintenance Supervisor 3.
9. Northwest Region Maintenance Office Facilities Branch Table of Organization.
10. State of Washington Class Specification - Maintenance Supervisor 3.
11. State of Washington Class Specification - Maintenance Specialist 4.
12. Desk Audit Notes dated 12/28/15.

C. Class Specifications

1. Maintenance Supervisor 3
2. Maintenance Specialist 4