



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM

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September 29, 2016

TO: Connie Goff  
Rules and Appeals Section Chief

FROM: Christa Biasi  
Director's Review Specialist

SUBJECT: Jessica Anderson v. Department of Corrections (DOC)  
Allocation Review Request ALLO-16-020

### Director's Determination

This position review is based on the work performed for the twelve-month period prior to January 7, 2016, the date that Department of Corrections (DOC HR) received Jessica Anderson's request for a reallocation. As the Director's Review Specialist, I carefully considered all the exhibits, any written communication provided and the information obtained during the Director's Review Conference. Based on my review and analysis of Ms. Anderson's assigned job duties; I conclude her position should be reallocated to a Corrections Specialist 2 (CS 2).

### Background

On January 7, 2016, Ms. Anderson submitted a Position Review Request (PRR) (Exhibit B-2) to DOC HR.

By letter dated March 7, 2016, Ms. Amy Meierhoff, Human Resource Consultant notified Ms. Anderson that her position remained allocated to an Administrative Assistant 3 (AA 3) (Exhibit B-1).

On March 22, 2016, Office of Financial Management, State Human Resources (OFM SHR) received Ms. Anderson's request for a written Director's Review of DOC HR's allocation determination (Exhibit A-1).

The Director's Review Conference was held on August 16, 2016, via telephone conference. Present at the hearing were Ms. Anderson, Ms. Meierhoff and Mindy Porchy, DOC HR.

### 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 at the Cedar Creek Corrections Center and reports to Lieutenant Vaavia Gaines.

### **Position Purpose**

As summarized in the PRR (Exhibit B-2), Ms. Anderson's purpose is as follows:

Under general supervision of the Superintendent/Designee, the Roster Manager at a standalone minimum prison facility, having less than 180 custody staff, manages the Custody Roster Management Program, a statewide Prisons Division program and the Roster Management staffing/scheduling database (ATLAS) which directly impact the facility's operating budget and employees' pay. This position is relied on by diverse groups of management and staff to ensure the facility's custody staffing levels are authorized per the Custody Post Audit Summary; facilitate, implement and manage employee assignments, work/training schedules and leave; manage overtime by adhering to policy and the Collective Bargaining Agreement (CBA); and track and report needs/causes of overtime, non-funded post staffing and on-call employee usage. These responsibilities directly support the Department's mission to improve public safety.

### **Duties and Responsibilities/Position Review Request (Exhibit B-2)**

- 40% Manages the facility's Custody Roster Management (CRM) Program which directly impacts the facility's budget. Works collaboratively with diverse groups of management and staff from various agency departments, including Human Resources (HR), Labor Relations, Payroll and Timekeeping and Training to ensure program compliance. Provides detailed information to facility management in matters regarding staffing needs, vacancies, leave usage and overtime. Coordinates with the agency's Prisons Staffing Manager and facility management on staffing updates due to expansions, closures and changes in security level. Ensures authorized custody posts and staffing levels, to include relief, are in accordance with the facility's CPA. Keeps current on and facilitates compliance with multiple policies, procedures and directives to include the CRM policy, attachments and addendums; agency directives and memos; CBA and subsequent arbitrations and rulings; pertinent DOC policies and WAC's; and Human Resource/Payroll Department policies and procedures.
- 40% Manages and has approval authority for, the annual vacation scheduling process and subsequent submittals for prescheduled leave, while staying within the relief factors dictated in the CPA and ensuring compliance with the CRM policy and CBA. Facilitates and implements custody staff position assignments, coordinating with facility management and local HR office on the CBA bid process and awarding of bids; on-call, non-permanent and probationary appointments; modified duty assignments and extended absences of employees.

Manages the assignment and schedule change notification process, ensuring proper notification is received by all stakeholders to include the employee, HR and Payroll. Ensures the notification timeframe set forth in CBA is met. Ensures utilization of relief employees in accordance with the CRM policy and Teamsters agreements. Coordinates with the facility's Training Manager on an ongoing basis to review the annual training schedule, scheduling options for both staff and instructors and staff compliance. In the event of an emergency, may be required to respond to and participate in established Incident Command, developing and assisting with implementation of emergency staffing plans and tracking costs incurred as a result of the emergency. Monitors on-call employees' refusals to work and leave usage, providing information to management as it pertains to probationary/non-permanent hiring and termination decisions as requested. Attends and participates in statewide Roster Manager Meetings as required.

Manages the Roster Management staffing/scheduling database (ATLAS) which has a direct impact on employee pay. Manages ATLAS database information in regards to position numbers and posts; employees' permanent, temporary and relief assignments; work schedules; scheduled and unscheduled leave; overtime; vacancies; and non-funded post staffing, ensuring accurate and up-to-date information is entered and maintained. Enters all prescheduled shift activity, to include employee leave, training, vacancies, extra posts, relief and on-call usage. Schedules instructors and employees for all training, to include annual in-service, Correctional Worker Core (CWC), on the job training and new employee orientation. Audits daily rosters and shift summaries, ensuring ATLAS accurately reflects each shift's activities to include scheduled and unscheduled leave, non-funded extra posts, overtime usage and causes, scheduled premium pay and on-call employee work hours. Works collaboratively with HR and Payroll to resolve conflicts affecting employees' pay. Creates ATLAS events when requested and ensures staffing assignments and costs related to the event are accurately captured. May provide ATLAS training to other facility staff.

- 15% Reporting and Management Support  
Researches materials and computer data from various resources for management reports and inquiries.  
Gathers data and provides monthly overtime, extra post and on-call usage reports to facility management.  
Confers with management and assists with critical decision making as requested.  
Provides complex and confidential support in various areas to the Superintendent/Designee.
- 5% Meets with employees as needed to discuss issues and impacts related to assignments, leave and overtime. Attends and participates in facility meetings as required.  
Provide new employee orientation and attend CWC graduations as required.

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

#### **Telephone Interview February 17, 2016 (Exhibit B-8)**

During the course of the review process performed by DOC HR, Ms. Anderson stated during a telephone conference that she works as the Roster Manager. She stated that she is responsible for approving vacations, statements and assisting the training manager with the training calendar and finding instructors to hold the classes.

This responsibility is for both custody and non-custody staff in ATLAS. It includes non-custody approval of leave slips, managing the leave box and entering the information into ATLAS. Ms. Anderson further described her duties during the telephone conference as:

Manages leave box and enters it into ATLAS. Once entered in ATLAS and CC leave in process folder where payroll person double checks. Custody, DOC leave box and process leave slips, some send directly to her. Look at relief factors and approve or deny. Send employee and supervisor approval or denial. Get training schedule from training manager, based on days off and pick instructors. Set up classes and fill slots, send out assignments, enter assignment pay (after training has happened). HR notifies if someone is going on temp assignment and makes changes in ATLAS and send payroll action folder. Temp, Re-assignment, transfer to other facility.

Ms. Anderson stated the biggest part of her job is making sure training is completed, leave is completed and relief positions are filled including training relief. She described her Roster Management duties as eighty-percent (80%) of her duties and the Lieutenant (Lieutenant Gaines) does not assist with these duties other than those instances where there is a requirement to go above "relief factor." She performs these duties according to the current Collective Bargaining Agreement (CBA) to ensure she is in compliance with all contractual obligations. She also discussed her monthly supply custody report that has "on-call, overtime or unusual casual factors" for overtime and provides suggestions in an attempt to minimize overtime costs.

### **Summary of DOC's Perspective | Determination Letter (Exhibit B-1)**

Ms. Meierhoff summarized Ms. Anderson's duties and made comparisons to the Administrative Assistant (AA) and Correction Specialist classes in order to determine an appropriate job class. Ms. Meierhoff states:

The request to reallocate your position (BY15) from Administrative Assistant 3 to Corrections Specialist 1 has been carefully reviewed. As a result of the review, it has been determined that your position does not meet the definition for the classification of Corrections Specialist 1 and is appropriately allocated to the classification of Administrative Assistant 3. This determination involved a review of the following information:

- The Position Review Request (PRR) form signed by you and your supervisor and received by the Cedar Creek Corrections Center (CCCC) Human Resources office on January 7, 2016;
- The current PD on file for your position signed by your supervisor on March 11, 2015;
- Supervisor's current PD signed by your supervisor on June 11, 2014;
- The CCCC Custody organizational chart dated August 2015;
- The OFM Class Specification for Administrative Assistant 3; and
- The OFM Class Specification for Corrections Specialist 1

Ms. Meierhoff stated in her determination letter, allocations are determined by "evaluating the majority of the duties and responsibilities assigned to a position and comparing them to the class series concept (if one exists), definition and distinguishing characteristics listed in existing class specifications. Below you will find the definition and documentation reviewed and considered for this reallocation request."

Ms. Meierhoff outlined the definition of the AA 3 and Class Series Concept and Definition of the CS 1 in order to make her final determination in Ms. Anderson's request. Ms. Meierhoff further stated that:

The purpose of your position, as you state in *Section 1* of the PRR, act as the "roster manager at a standalone, minimum prison facility, have less than 180 custody staff. Manages the Custody Roster Management Program, a statewide Prison's Division program and the roster Management staffing/scheduling database (ATLAS) which directly impacts the facility's operating budget."

She also reviewed Ms. Anderson's supervisor's PDF, which she outlined as follows:

When reviewing your current supervisor's PD under Section 20, tasks 6-9 outline the responsibility to oversee management of custody workforce and assignments. Additionally under Section 22, the PD states "through roster management, this position impacts overtime by providing effective and innovative oversight of the assignment of staff on a daily basis."

Ms. Meierhoff then compared the duties performed by Ms. Anderson and that of the previous classifications. She stated in part:

Based on the PD you submitted for reallocation, you do not meet the criteria outlined in the Corrections Specialist Class Series Concept. In order to be allocated to the Corrections Specialist class series, you must first meet the criteria outlined in the Class Series Concept which states in part:

*"Within the Department of Corrections, is responsible for various correctional programs as assigned, such as ... roster management for major institutions ..."*

Ms. Meierhoff agreed that Ms. Anderson had been given the delegated responsibility to manage the facility's roster management, "CCC does not meet the definition of a major institution based on custody level distinction." She further outlined that a major facility such as Airway Heights Corrections Center has a designation of "medium" while Cedar Creek Corrections Center has a designation of minimum and in order to be designated as a major institution, the designation must be medium or above.

Ms. Meierhoff further stated that consistent with the AA 3 classification "your [Ms. Anderson's] position has been delegated work that is appropriate to be performed by the manager that would create significant adverse consequences if performed poorly."

It is because Ms. Anderson has been "delegated this responsibility for maintaining appropriate staffing levels by providing the daily roster for all custody positions, the AA series is the most appropriate."

Finally, Ms. Meierhoff stated that although roster management is an element of the Lieutenant's position and she has the ultimate accountability for roster management at CCCC, the task has been delegated to Ms. Anderson. The determination is also based on the fact that CCCC is not a major institution and therefore, Ms. Anderson does not meet the class series concept.

### **Director's Review Telephone Conference July 16, 2016**

Over the course of the Director's Review telephone conference, Ms. Anderson further detailed her duties and the level responsibility she has in her current position and discussed how these duties were delegated to her. The duties performed by Ms. Anderson have been performed for the past seven years, essentially since she began at CCCC. Ms. Anderson also stated that not only is she responsible for custody level staffing, she is also responsible for non-custody staffing. She described the custody level staffing as Officers, Sergeants and Lieutenants and non-custody staff such as cooks, administrative personnel, etc.

Ms. Anderson describes her duties as those described in the CS 2 class under the typical work statement that states:

Develops the master roster in accordance with the Custody Staffing Model as determined by the institution's audit and as approved; develop the "work" schedule (i.e. days off, hours of work, etc.) for all custody positions, to ensure all mandatory posts are covered; monitors the cost effective use of assigned staff, controls use of overtime and tracks post vacancies and extra post assignments; responsible for all custody staff assignments; coordinates through Human Resources, the bid process for all custody positions in compliance with field instructions and union contracts, coordinates all staff requests for reassignments to accommodate injuries and illnesses; responsible for disposition of all custody leave requests within established relief factors, as well as, requests for extended leave, military leave, jury duty; coordinates and approves all training requests as they relate to staffing patterns and apparent need; prepares analysis of data, indicating trends and problem areas related to custody staff management and overtime ...

Ms. Anderson said as part of her duties she develops the daily work schedule for custody and non-custody staff, including all days off, hours of work, vacation schedules and training schedules. She ensures the facility is fully staffed at all times and if it is not, as she said during the course of the telephone conference, it "falls on her" to fix any staffing issues. These duties also align with managing overtime and monitoring the most cost effective use of staff and reducing overtime within the facility. Ms. Anderson further stated the only requests she does not process in the course of performing her duties are personal holiday requests as those need a higher level of approval.

Ms. Anderson also stated that one of the reasons she was not reallocated to a CS 1 and remains an Administrative Assistant 3 is because of "how much work she does." She does not believe this to be true because she works at a smaller facility and therefore, has to wear more hats and take on duties that normally would be assigned to someone else in a larger facility, such as McNeil Island. She gave the example of two Warehouse Operator 4's at two different facilities by describing that the Warehouse Operator 4 in Shelton performs one duty, yet the same position at CCCC performs all of the duties required in the Warehouse because of budgetary restrictions. This she said does not mean the operator at CCCC is performing less duties rather it means he/she is performing more duties with less staff.

Ms. Meierhoff, HRC stated Ms. Anderson is a valued employee and her work is valued throughout CCCC. She also pointed out that in her determination letter it is outlined that in the Lieutenant's PDF, she (Lieutenant Gaines) is responsible for the Custody Management. As further clarification, Ms. Meierhoff pointed to Exhibit B-4, pages 20, 21, 23 and 24 where it is stated respectively the Lieutenant,

“Recommends changes in roster management, monitors and takes direct action concerning sick leave use, overtime and call back expenditures, verifies position requirements, manages custody operations and makes recommendations on hire and promotion of custody staff.” As such, the Lieutenant is responsible for Roster Management and not Ms. Anderson.

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

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

### **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.

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

The overall scope and level of responsibility of Ms. Anderson's position and the majority of her duties as a whole do not align with the Definition and Distinguishing Characteristics of this class.

First and foremost, Ms. Anderson's main duties are a higher level than that of an AA 3. For example, she performs the roster management duties for CCCC which have institution wide impact. In her position she ensures the CCCC is fully staffed and meeting the CBA and state, federal and internal policies for staffing correctional facilities. The roster management duties that Ms. Anderson performs are an institution wide responsibility. The roster manager ensures that the CCCC is fully staffed to ensure the safety of the staff, inmates and the community. Should this duty of roster management be poorly performed, there would be significant consequences to the inmates, custody and non-custody level staff.

Only a small portion of Ms. Anderson's duties can be classified as administrative and/or secretarial in nature. According to Ms. Anderson's PRR (Exhibit B-2), only twenty-percent (20%) of her duties describe her providing secretarial support and office managerial services to the Correctional Lieutenant. This is not to say that she does not work under the general supervision of her supervisor while performing all other duties.

Ms. Anderson, duties have significant impact on the CCCC. Ms. Anderson performs the following duties:

- Roster Management
- Working collaboratively with diverse groups of management and staff
- Coordinate with the facility's Training Manager on an ongoing basis to review the annual training schedule, scheduling options for both staff and instructors and staff compliance.
- Keeps current on and facilitates compliance with multiple policies, procedures and directives to include the CRM policy, attachments and addendums; agency directives and memos; CBA and subsequent arbitrations and rulings; pertinent DOC policies and WAC's; and Human Resource/Payroll Department policies and procedures.
- Manages and has approval authority for, the annual vacation scheduling process and subsequent submittals for prescheduled leave, while staying within the relief factors dictated in the CPA and ensuring compliance with the CRM policy and CBA.

These duties, according to her PRR (Exhibit B-2) and her recent PDF (Exhibit B-3) are not delegated duties rather they are her duties that she performs under the general direction of her supervisor. While it can be argued by DOC HR, that according the PDF of Ms. Anderson's Lieutenant (Exhibit B-4), the roster management duties are her responsibility.

Ms. Anderson carries the title of Roster Manager as outlined on her PRR and PDF and performs the duties a majority of time. Her supervisor indicated that Ms. Anderson performs the roster management duties and she only "spot checks" her work.

In this matter, Lieutenant Gaines would perform Ms. Anderson's duties if she was absent from work. Even so, this does not negate the fact that Ms. Anderson is the roster manager. She works under the general supervision of her supervisor which is defined by OFM SHR as independently performing all assignments using knowledge of established policies and work objectives; plans and organizes the work and assists in determining priorities and deadlines; exercises independent decision-making authority and discretion to decide which work methods to use, tasks to perform and procedures to follow to meet work objectives; and completed work is reviewed for effectiveness in producing expected results.

Ms. Anderson's duties and her level of responsibility as they relate to the roster management of the CCCC, coupled with the fact that she works under the general direction of her supervisor, puts her duties above the intent of the AA 3 class. These duties if not performed properly could lead to possible grievances from union members as they relate to the CBA, safety issues for inmates and staff.

As outlined, Ms. Anderson's duties are not consistent with that of an AA 3. This is not to say that some of Ms. Anderson's duties are not consistent with some of the statements outlined in the AA 3 class. The PRB has ruled that most positions within 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 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).

### **Corrections Specialist 1**

#### **Class Series Concept (Effective prior to August 14, 2015)**

Within the **Department of Corrections**, is responsible for various correctional programs as assigned, such as community service activities, institutional training, classification and treatment programs, offender grievances, institutional hearings, **roster management for major institutions**, contracted chemical dependency treatment services, deaf inmate program services, auditing of correctional programs, HQ intelligence and investigations, canine or; administers an investigative/intelligence operation at a major institution. Some positions may supervise lower level staff. [emphasis added]

#### **Definition (Effective prior to August 14, 2015)**

This is the entry level of the series. In the Department of Corrections, serves as a manager of the department's community and citizen involvement program at an institution with 500 or less registered volunteer staff. Primary responsibility is acting as a liaison between the community and institution on community involvement issues, volunteer administration, which includes volunteer recruitment, providing technical assistance to staff and management on the use of volunteers, providing mandatory training to volunteers, maintaining records for accountability, coordinating projects utilizing community or offender volunteers preparing reports.

#### **Class Series Concept (Effective Date August 14, 2015)**

Within the **Department of Corrections**, is responsible for various correctional programs as assigned, such as community service activities, **institutional training**, classification and treatment programs, offender grievances, institutional hearings, **roster management for major institutions**, contracted chemical dependency treatment services, deaf inmate program services, auditing of correctional programs, HQ intelligence and investigations, canine or; administers an investigative/intelligence operation at a major institution. [emphasis added]

### **Definition (Effective Date August 14, 2015)**

In the Department of Corrections, serves as a manager of the department's community and citizen involvement program at an institution. Plans, organizes, directs and manages all aspects of the community partnership program within a facility, to include: volunteer services, family friendly and community resource programs.

Primary responsibility is acting as a liaison between the community and institution on community involvement issues, volunteer administration, which includes volunteer recruitment, providing technical assistance to staff and management on the use of volunteers, providing mandatory training to volunteers, maintaining records for accountability, coordinating projects utilizing community or offender volunteers and preparing reports.

### **Corrections Specialist 2**

#### **Definition**

Within the Department of Corrections, develops, coordinates, implements and/or evaluates various correctional program(s) as assigned. Positions at this level work under **general direction** and have **institution wide correctional program responsibility. Prepares comprehensive reports and makes recommendations for management**, identifies and projects trends, and **monitors program expenditures for adherence to budgeted allocations**. Positions in this class perform professional level duties related to correctional programs in areas such as: intensive management, administrative segregation, grievance coordinator, security specialist, facility classification; and evidence based program delivery specialists.

First and foremost, in addition to the duties performed by Ms. Anderson, the question also becomes whether or not CCCC is a major or minor institution and what defines a major or minor institution. Throughout the course of this review, I sought guidance from DOC on their written policy or guidelines that could assist in the definition of a "major institution."

Ms. Meierhoff informed me prior to the hearing that "The distinction between major and minor is the custody/security level." However, DOC does not have an internal policy that defines an institution as major and instead relies on an unwritten guideline that uses the "Custody Level Distinctions."

For example, at CCCC most inmates are classified as MI2 or minimum/medium custody level inmates, whereas at Airway Heights Correction Center (AHCC) inmates are classified as MI2, MI3 and Medium, which classifies AHCC as a "major" institution. As you can see, both institutions house MI2 custody level inmates, or minimum security inmates. AHCC houses inmates with higher custody level distinctions and this may be a designating factor, however, this is not written or defined. Absent of a written policy or state and federal guidelines assisting in the definition of a major institution, I must rely on the class series concept and specifications minus the distinction of an institution being "major."

Although the Class Series Concept and Definition have changed over the course of the review period, neither of the changes matter as the one constant between the two is one of the defining

sentences in both Class Series Concepts "Within the Department of Corrections, is responsible for various correctional programs as assigned "... **roster management for major institutions.**" In reviewing all of the information, coupled with the assigned and delegated duties, the scope and level of Ms. Anderson's duties fall within CS 2 class.

The Personnel Resources Board in *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020 (2008) stated that the following standards are the hierarchy of primary consideration in allocating positions:

- a) Category concept (if one exists) [Class Series Concept].
- b) Definition or basic function of the class.
- c) Distinguishing characteristics of a class.
- d) Class series concept, definition/basic function and distinguishing characteristics of other classes in the series in question.

Based the PRR guideline and taking into account in *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020 (2008), I find Ms. Anderson meets the class series concept and furthermore, meets the definition of the CS 2. For example, Ms. Anderson is the roster manager for CCCC. This is clearly stated in her PRR (Exhibit B-2) and also her PDF (Exhibit B-3) both documents have been signed by her supervisor agreeing to her job duties and title. As stated on Exhibit B-3 under her current class title is listed as "Roster Manager," her position purpose even goes on to state, "This position of Administrative Assistant 3 has been established to facilitate the safety and security need of the correctional facility on a 24/7 basis through the management of the custody staffing plan." She manages the roster of the CCCC "through the authority of the Lieutenant."

Ms. Anderson performs the duties of roster management eighty percent (80%) of the time. Ms. Anderson, in her position, is the Custody Roster Manager for CCCC and even is noted in the supervisor portion of the PRR (Exhibit B-2), Ms. Anderson has authority to approve "custody leave slips, including sergeants" without the approval of her supervisor. Her supervisor further stated that she only "spot checks" Ms. Anderson's work. Ms. Anderson's position purpose is also described as:

- Ensure the safe and efficient operation of the correctional facility.
- Ensure custody staffing is deployed consistent with the Custody Staffing Model and Custody Post Audit Summary.
- Ensure custody expenditures are managed consistent with the available custody allotments.

Furthermore, although typical work is not an allocating criterion, it 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). In this matter, Ms. Anderson duties are that of the Roster Manager for CCCC, her duties align with the typical work statement outlined in the CS 2:

Develops the master roster in accordance with the Custody Staffing Model as determined by the institution's audit and as approved; develop the "work" schedule (i.e. days off, hours of work, etc.) for all custody positions, to ensure all mandatory posts are covered; monitors the cost effective use of assigned staff, controls use of overtime and tracks post vacancies and extra post assignments; responsible for all custody staff assignments; coordinates through Human

Resources, the bid process for all custody positions in compliance with field instructions and union contracts, coordinates all staff requests for reassignments to accommodate injuries and illnesses; responsible for disposition of all custody leave requests within established relief factors, as well as, requests for extended leave, military leave, jury duty; coordinates and approves all training requests as they relate to staffing patterns and apparent need; prepares analysis of data, indicating trends and problem areas related to custody staff management and overtime.

Ms. Anderson develops the roster in accordance with the Custody Staffing Model as outlined in her PD in her position purpose as well as her duties. She develops the work schedule for custody and non-custody positions and ensures all mandatory posts are covered. She monitors the cost effective use of assigned staff, controls the use of overtime and tracks post vacancies and extra post assignments. She also coordinates with human resources the bid process for all custody positions as well as non-custody positions and also is responsible for all leave requests within the established relief factors including extended leave, military leave, jury duty, etc. Although these are not all of Ms. Anderson's duties they do show the level of responsibility Ms. Anderson has, the duties she performs, and how these duties fit within the CS 2 class.

Furthermore, it appears Ms. Anderson was denied her request for reallocation based on three issues:

1. CCCC is not a "major" institution;
2. DOC has an internal restricted policy which states in part "at Level II facilities (MI2) the Lieutenant will serve as the Custody Roster Manager; and
3. Ms. Anderson's duties have been delegated to her by her supervisor (Lieutenant Gaines).

It is important to address the issues as they relate to the denial of Ms. Anderson's request for reallocation. First and foremost, as previously stated, there is not a definition that outlines the definition of a "major institution." In my research throughout this process, I asked Ms. Meierhoff to provide me the written guidelines for which institutions are designated major or minor. This information was requested because Ms. Meierhoff, in her determination letter states, "...while you have been given 'delegated' responsibility to manage the facility's roster management, CCCC does not meet the definition of major institution based on custody level distinctions." However, within DOC, there is not an internal definition, written guideline or a policy which outlines this statement. To base a determination factor on an understanding or unwritten guideline within DOC is not appropriate when the duties Ms. Anderson performs clearly meet the intent of the CS class. In fact, the PRB recently ruled in *Osby v. DSHS*, PRB Case No. R-ALLO-15-039, 2015 where the Board stated, "...an internal guideline does not take precedence over allocating criteria, which are the class series concept, definition and distinguishing characteristics." Here we have an incumbent who is performing the duties of the CS 2 eighty percent (80%) of the time and as stated in the review conference, the buck stops with her. If there is a staffing issue the Lieutenant comes to her because it is her main duty and responsibility to ensure proper staffing levels at CCCC.

Secondly, DOC stated there is a restricted internal policy which governs lieutenants at minor institutions or "level II" facilities which states the lieutenant will serve as Custody Roster Manager. DOC further contends, that although Ms. Anderson is performing the duties of roster manager, these duties have been "delegated" to her by her lieutenant, the lieutenant per policy is the responsible party for such duties and because of this, Ms. Anderson does not meet in the

intent of the CS class. It is important to note that DOC does not have an internal policy which outlines the definition of a major/minor institution. I have no clear direction on the basis for such a distinction and again must take into account the PRB ruling regarding internal guidelines for allocation purposes. I further took into account the information obtained during and after the review conference. After the review conference I requested the PDF in effect prior to March 18, 2015 from DOC HR. I was provided Exhibit D-1, a PDF dated and signed March 16, 2011. Within the PDF, it indicated that Ms. Anderson had been "delegated Roster Management Responsibilities," which at the time encompassed forty-five percent (45%) of her duties. In her recent PDF, her duties have since shifted from those being delegated, to her performing, with minimal supervision, roster management duties and those duties now encompass eighty percent (80%) of her time. I once again find that Ms. Anderson's duties align with the intent of the CS class and more importantly, the intent of the CS 2 class.

Lastly, Ms. Meierhoff states Ms. Anderson's duties have been delegated to her by her supervisor and therefore, she does not meet the intent of the CS class. Prior to March 18, 2015, it appears Ms. Anderson last updated her PDF in March of 2011 (Exhibit D-1) which at the time the roster management duties appear to have been delegated to her. However her March 18, 2015, (Exhibit B-3) PDF does not indicate the duties have been delegated, rather, she has since been fully assigned the duties of roster management and her working title is "Roster Manager." Ms. Meierhoff indicated in her determination letter, (Exhibit B-1) that her supervisor, Lieutenant Gaines, is responsible for roster management at CCCC as outlined in the Lieutenant's PDF which states, "Oversees management of custody workforce and assignments." As Ms. Anderson's supervisor, the Lieutenant does oversee Ms. Anderson's work, however, Lieutenant Gaines indicated in Ms. Anderson's PRR (Exhibit B-2) that she only "spot checks" Ms. Anderson's work and even more importantly, Ms. Anderson has authority to, without prior approval, approve custody leave slips including those of sergeants.

Prior to March 18, 2015, Ms. Anderson had been delegated the duties of roster manager by her lieutenant and had been performing those duties more than fifty-percent (50%) and in fact stated that she has been performing the roster management duties since her hire date. As outlined in her March 18, 2015, PDF, Ms. Anderson has fully taken on the duties of roster manager and works independently with little guidance from her lieutenant.

Ms. Anderson performs her duties at the journey level and she is fully competent and qualified in all aspects of her body of work and is given broad/general guidance. She can complete her work assignments to standard under general supervision and is working at the fully qualified level. OFM SHR has defined working independently as having, "Authority to make decisions without supervisory approval regarding the work rules, processes, procedures, materials, equipment, and methods which will be used. Modifications to processes, procedures, and methods must conform to the employer's policies and regulations." Ms. Anderson's decision making authority as it relates to staffing the CCCC is in line with working independently. She also possesses an expert level knowledge of the guidelines for staffing the CCCC by using the CBA, DOC's CPA and CRM policies.

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).

In this matter it is difficult to deny Ms. Anderson's request for reallocation based on an internal DOC guideline which classifies major and minor institutions that is neither written nor defined outside the DOC. Since classification revisions are outside the scope of the Director's Review process, I recommend DOC work with Classification and Compensation staff at OFM SHR during the biennial proposal process to work on definitions outlining major and minor institutions.

In total, I must look at the duties Ms. Anderson performs a majority of the time for the past twelve-month period and her level of responsibility. Her level of duties performed the primary function of her position and the majority of her duties in their entirety fall within the scope and level of responsibility in the stated Definition for the CS 2 class. Ms. Anderson's overall level and scope of assigned duties and responsibilities are aligned with the CS 2 class and are consistent with CS 2 level work and therefore the best fit.<sup>1</sup>

### **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: Jessica Anderson, Appellant  
Amy Meierhoff, Human Resource Consultant

Enclosure: List of Exhibits

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<sup>1</sup> The best fit concept is supported by *Salsberry v. Washington State Parks and Recreation Commission*, PRB Case No. R-ALLO-06-013 (2007), the Personnel Resources Board (the Board) addressed the concept of best fit. The Board referenced *Allegri v. Washington State University*, PAB Case No. ALLO-96-0026 (1998), in which the Personnel Appeals Board noted that while the appellant's duties and responsibilities did not encompass the full breadth of the duties and responsibilities described by the classification to which his position was allocated, on a best fit basis, the classification best described the level, scope and diversity of the overall duties and responsibilities of [her] position.

**JESSICA ANDERSON V DOC**  
**ALLO-16-020**

**LIST OF EXHIBITS**

A. Jessica Anderson Exhibits

1. Reallocation appeal request, March 22, 2016
2. Position Review Request Denial, March 7, 2016
3. State of Washington Class Specification-Corrections Specialist 1
4. State of Washington Class Specification-Corrections Specialist 2
5. State of Washington Class Specification-Corrections Specialist 3
6. State of Washington Class Specification-Administrative Assistant 3
7. State of Washington Class Specification- Administrative Assistant 4
8. State of Washington Class Specification- Administrative Assistant 5
9. ATLAS user roles updates (CCCC Lieutenant and AA3)
10. Copy of Roster Manager Assistant Position Description
11. Copy of Roster Manager (Corrections Specialist 3) Position Description
12. Copy of the "Facility Roster Manager" Nick List (email list)
13. 2010 Quality Assurance Audit for CCCC
14. 2014 Quality Assurance Audit for CCCC
15. Staff Alpha Roster (from ATLAS-custody/non-custody)

B. DOC Exhibits

1. Allocation determination letter, March 7, 2016
2. Position Review Request (PRR) form requesting reallocation to Correction Specialist 1 (BY15), received by Cedar Creek Correction Center Human Resources on January 7, 2016.
3. The current PD on file signed by the incumbent on March 12, 2015 and incumbent's supervisor on March 11, 2015.
4. Supervisor's current PD signed by incumbent's supervisor on June 11, 2014.
5. The CCCC Custody organizational chart dated August 2015.
6. The OFM Class Specification for Administrative Assistant 3.
7. The OFM Class Specification for Corrections Specialist 1.
8. Work Review notes via teleconference on February 17, 2016.
9. Work Review notes with Jessica Anderson's revisions dated February 25, 2016.

C. Class Specifications

1. Corrections Specialist 1
2. Corrections Specialist 2
3. Corrections Specialist 3
4. Administrative Assistant 3
5. Administrative Assistant 4
6. Administrative Assistant 5

D. Exhibits requested by DR Specialist

1. Jessica Anderson's previous PD prior to the March 18, 2015 revised PD
2. Corrections Specialist series prior to August 2015 DOC Policy 400.020 Facility
3. Capacity Management and Space Standards