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

October 4, 2016

TO: Connie Goff
Rules and Appeals Section Chief

FROM: Nancy Jacobski
Director's Review Specialist

SUBJECT: Pac Lay vs. Seattle Community College
Allocation Review Request ALLO-16-027

Director's Determination

This position review is based on the work performed for the six-month period prior to February 9, 2016, the date that Seattle Community College (SCC) Human Resources (HR) received Pac Lay's request for a reallocation from Information Technology Specialist 5 (ITS 5) to IT Systems/ Applications Specialist (ITS/AS 6). As the Director's Review Specialist, I carefully considered all the exhibits and the information obtained during the director's review conference. Based on my review and analysis of Mr. Lay's assigned job duties, I conclude his position is properly allocated to ITS 5.

Background

On February 9, 2016, Mr. Lay submitted a request to SCC HR for reallocation from an ITS 5 to an ITS/AS 6 (Exhibit B-2).

By letter dated April 12, 2016, Susan Engel, Director of Employee Services, SCC, notified Mr. Lay that his position remained allocated to an ITS 5 (Exhibits B-1, D-1)).

On April 21, 2016, Office of Financial Management, State Human Resources (OFM SHR), received Mr. Lay's request for a written Director's Review of DOT's allocation determination (Exhibit A-1).

The Director's Review Conference was held on September 22, 2016, by telephone. Present at the hearing were Pac Lay, Susan Engel and Mr. Lay's Supervisor, Michael Lock, District IT Director.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications.

This review results in a determination of the class that best describes the overall duties and responsibilities of the position. *Liddle-Stamper v. Washington State University*, PAB Case No. 3722-A2 (1994).

Organizational Structure

Mr. Lay is one of five IT staff in the District IT Division all of whom report to the District IT Director. The District IT Director reports to the Vice Chancellor for Finance & Technology.

Position Purpose

As stated in the position description (PD) (Exhibit B-3), Mr. Lay's position purpose is as follows:

Design, develop, test and maintain relational databases. Create customized reports utilizing various technologies. Designs, develop and maintains code for data transform, migrate and transfer. Develop and execute customized complex data requests. Provide direct systems support and serve as technical resource. Collect requirements, perform system design, develop, test and implement enhancements. Conduct data issue research using data downloads and various tools. Serves as management advisor and technical consultant to enhance and maintain of all applications within assigned area of responsibility. Develop training plans and train others as needed. Develop and oversee test plans and test scenarios based on requirements and specifications.

The duties are outlined as follows:

40% Duty: Plan, maintains, monitors, troubleshoots, and enhances SCD's SQL server, Exchange, Active Directory, SANS, web server, Hyper-V and other mission-critical IT system.

Tasks include: Plan, test, implement and research new systems or systems migration. Monitor log and server performance to analyze system health and issues. Develop, test and deploy disaster recovery plan. Designs, maintains, and performs custom interface for data transfer, gathering, and integration. Plan and research network infrastructure such as firewall, switches and servers. Serves as management advisor and technical consultant to enhance and maintain on-going operation of all systems.

40% Duty: Plan, maintain, troubleshoots and enhance data infrastructure

Tasks include: Design, develop, test and maintain relational databases. Create customized reports utilizing various technologies.

Designs, develop and maintains code for data transform, migrate and transfer. Develop and execute customized complex data requests. Provide direct systems support and serve as technical recourses. Collect requirements, perform system design, develop, test and implement enhancements. Conduct data issue research using data downloads and various tools. Serves as management advisor and technical consultant to enhance and maintain all relational databases.

20% Duty: Develop, test and implement applications

Tasks include: Plans, analyzes, designs, develops and maintains requirements for application development and enhancement. Develops alternative solutions and makes recommendations. Respond to customer's questions about the application. Resolve outstanding web applications problems. Serves as management advisor and technical consultant to enhance and maintain of all applications within assigned area of responsibility. Develop training plans and train others as needed. Develop and oversee test plans and test scenarios based on requirements and specifications.

Summary of Mr. Lay's Perspective

Mr. Lay believes the duties and responsibilities of his position fit the ITS/AS 6 job class. Mr. Lay asserts his responsibilities around adding new technology, including determining hardware needs and cloud interface resolution, is beyond the scope of the ITS 5 job class. Mr. Lay states he independently makes technical decisions to handle highly complex and high risk projects. Based on his expertise, he is able to advise Mr. Lock.

Mr. Lay contends he is assigned a project by Mr. Lock, figures out the timeframe to completion and independently prioritizes along the way. Mr. Lock confirms he has full trust in Mr. Lay to make the right technical decisions on matters related to the design, development, and maintenance of databases and applications. Mr. Lay asserts he is able to resolve issues by understanding the big picture and breaking them down into manageable parts. He determines code corrections and updates and, based on his expertise, works with other IT team members to troubleshoot and give guidance and knowledge to their projects.

Summary of SCC's Perspective

SCC outlined in their Determination Letter how the definition of the ITS 5 matches the work performed by Mr. Lay. The letter stated, in part:

> Mr. Lay performs highly-complex tasks such as conducting capacity planning to determine organization-wide needs and make recommendations; designing complex institution-wide systems crossing multiple networks, platforms and identifying and resolving operational problems for major high risk systems with centralized, organization-wide functions…

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.

Class Series Concept for the ITS Series

Positions in this category perform professional information technology systems and/or applications support for client applications, databases, computer hardware and software products, network infrastructure equipment, or telecommunications software or hardware.

This category broadly describes positions in one or more information technology disciplines such as: Application Development And Maintenance, Application Testing, Capacity Planning, Business Analysis and/or Process Re-Engineering, Data Base Design And Maintenance, Data Communications, Disaster Recovery/Data Security, Distributed Systems/LAN/WAN/PC, Hardware Management And Support, Network Operations, Production Control, Quality Assurance, IT Project Management, Systems Software, Web Development, or Voice Communications.

Positions which perform information technology-related work to accomplish tasks but are non-technical in nature would not be included in this occupational category.

ITS 5

Definition

This is the supervisory or expert level. Provides expert consultation and specialized analysis, design, development, acquisition, installation, maintenance, programming, testing, quality assurance, troubleshooting, and/or problem resolution tasks for major organization-wide, high risk/high impact, or mission-critical applications computing and/or telecommunication systems, projects, databases or database management systems; support products, or operational problems.

Performs highly-complex tasks such as conducting capacity planning to determine organization-wide needs and make recommendations; designing complex agency- or institution-wide enterprise systems crossing multiple networks, platforms or telecommunication environments; overseeing the daily operations of large-scale or enterprise systems; identifying and resolving operational problems for major high risk systems with centralized, organization-wide functions; testing multi-dimensional applications, providing quality assurance; developing standards or enhancing existing, high risk and impact, mission critical applications; integrating business solutions, or writing feasibility studies and decision packages for high visibility/impact initiatives.

Provides leadership and expert consultation for large-scale projects or enterprise systems that often integrate new technology and/or carry out organization-wide information technology functions, or impact other institutions or agencies. Provides project management leadership, technical expertise and demonstrates knowledge of project management practices, principles, and skills.

May supervise information technology specialists or function as a recognized expert who is sought out by others in resolving or assessing controversial or precedent-setting issues.

There are no distinguishing characteristic for ITS 5

ITS/AS 6

Definition

Serves as the highest level authority for an agency or in a major subdivision of DSHS in an information technology specialty area such as, but not limited to: operating system architecture, network architecture, applications development, applications support and enhancement, desktop/server operating systems, data architecture/administration, security architecture/administration, project management methodology or telephony systems architecture.

Distinguishing Characteristics

This is the expert professional level where incumbents are designated in writing by IT/IS management to provide technical and organizational leadership in specialized areas of technology. Incumbents possess advanced technical as well as business knowledge and grasp the overall impact of their specialty such that they are trusted by management to independently deal with high risk, high profile initiatives that may impact significant/fundamental public services. Incumbents have mastered the ability to translate technological options into business terms and interact with executive management to create technology solutions to mission critical business problems. Incumbents in this class serve as the agency spokesperson in their area of technical expertise and may make commitments on behalf of their agency. Serve as a technical mentor, coach and trainer to others. Often supervises others.

Incumbents typically perform the level of work described below a majority of the time. The work described below is not intended to be all inclusive but representative of the level of duties/responsibilities carried out by this job class:

• Responsible for an agency's strategic planning and policy development in their designated area of specialty;

• Plans, analyzes, and leads strategic business initiatives and legislative mandates in their designated area of specialty;

• Develops agency-wide information technology system architecture; develops multi-agency system architecture;

• Project leader for integrating new technologies with existing technologies;

• Work group leader for design of applications that have significant statewide impact (e.g. the payroll system) or multi-agency impact;

• Develops and implements standards and procedures for data, data modeling, and data architecture;

• Defines requirements for data base management system and support software; develops plan and coordinates agency-wide implementation of new data base management system software;

• Serves as management advisor and technical consultant to enhance and maintain on-going operation of all applications (mainframe, client/server, web, microcomputer, etc.) within assigned area of responsibility;

• Develops business plans, decision packages, and acquisition strategy for Department of Information Services review;

• Markets and sells services and products offered;

• Negotiates service level agreements for major, mission critical applications or services;

• Establishes security policies and standards at an agency or statewide (inter-agency) level; manages agency security plan; defines off-site disaster recovery back-up requirements for user databases and system files;

• Directs complex, multi-agency system hardware/software installation projects;

• Consultant to executive management in their designated area of specialty.

• Examples of assignments which correlate with this level of work include:

- agency computing systems architect

- chief data architect

- chief data base architect/administrator

- chief network architect

- chief applications architect

- web-based applications chief

- agency security architect/administrator

Summary of Director's Review Decision

In *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020 (2008), the Personnel Resources Board (Board) confirmed the hierarchy of considerations when allocating positions:

a) Category concept (if one exists).

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.

The category concept, or the "class series concept," is the first consideration. Mr. Lay's position fits the ITS class series concept, since the majority of his work is in application development and data management.

The next consideration when making allocation decisions is the classification's definition. The primary difference between the ITS 5 and ITS/AS 6 is that the ITS/AS 6 "serves as the highest level authority for an agency…in an information technology specialty area…"

The third consideration when making allocation decisions are the distinguishing characteristics, which is designed to help differentiate one level from another and, in some cases, one job class from another. According to the class specification's distinguishing characteristics, the ITS 5 and ITSAS 6 are both at the expert level. The primary difference between the two levels is that the ITSAS 6 is "…designated in writing by IT/IS management to provide technical and organizational leadership in a specialized area of technology…"

Information received during the telephone conference indicated Mr. Lay was the expert in his specialized area during the six month review period. Both Mr. Lay and Mr. Lock verified there was no written designation assigning this position to technical and organizational leadership. Being designated in writing by IT/IS management to provide technical and organizational leadership and serving as the highest level authority in an IT specialty area sets the stage for many other duties and responsibilities listed in the distinguishing characteristics for the ITSAS 6.

Typically, one who serves as the highest level of authority in an IT unit would deal with high risk and high profile initiatives, as stated in the distinguishing characteristics for ITSAS 6. As discussed during the telephone conference, the quantity of data handled by Mr. Lay makes him the primary staff member responsible for security breaches to the time and leave reporting system and confidential information from databases containing social security numbers and various other student and staff information. This responsibility fits into the ITS/AS 6 job class, but also fits the definition of the ITS 5, which states, "identifying and resolving operational problems for major high risk systems with centralized, organization-wide functions."

Also consistent with the distinguishing characteristics for the ITSAS 6, the position with the highest level of authority would be the person to serve as the college's spokesperson in their area of technical expertise. During the conference call I learned that, while Mr. Lay did attend an IT Manager's meeting, the bulk of his expertise is shared at team meetings. He is the go-to person for data and application issues, but does not serve as a spokesperson for the college in his area of expertise. The scope of Mr. Lay's work is consistent with the definition of the ITS 5 which states, "provides leadership and expert consultation for large-scale projects or enterprise systems…"

The distinguishing characteristics for ITSAS 6 state that positions exercise authority to make commitments on behalf of the college. Mr. Lock relies on Mr. Lay to provide expertise in his specialty area, but it is Mr. Lock or the Vice Chancellor who makes IT commitments on behalf of SCC. As Mr. Lay's PD indicates, new and major revisions to hardware, software and infrastructure are sent to the next level for recommendation/decision. In line with the ITS 5 definition, Mr. Lay "determines organization-wide needs and makes recommendations," but does not make IT commitments on behalf of SCC.

Lastly, the distinguishing characteristics for the ITS/AS 6 indicate this level serves as a technical mentor, coach or trainer to others; and often supervises. During the conference call, Mr. Lay indicated he occasionally helps and trains co-workers and creates documents containing step by step instructions. The District IT office is structured in such a way that five IT staff under Mr. Lock handle different areas of IT. None of them supervise lower level staff. Mr. Lay is a sole expert in data management and application development and there are no subordinates to supervise, coach or train. He primarily collaborates with IT staff, providing expert consultation in his specialty area as other IT staff members provide expertise in their areas. Expert consulting is different from supervising, coaching and training.

To summarize, Mr. Lay …"provides expert consultation and specialized analysis, design, development..." as the ITS 5 definition states. However, he is not designated in writing to provide technical and organizational leadership in his area of expertise. While Mr. Lay serves as Mr. Lock's right-hand person by providing him with technical detail in his area of expertise, Mr. Lock and the Vice Chancellor carry the level of authority to represent the college and make decisions in areas of significance. Mr. Lay is the expert that helps Mr. Lock and other managers make those decisions.

In *Eastern Washington University vs. Tom Akin*, Case No. R-ALLO-09-004 (2009), the Board reversed the director's determination and Appellant's position remained allocated to an ITS 5 because there was no written designation:

> In this case, the job description for Mr. Akin's position contains no written designation by management as the highest-level authority or expert professional level position. Allocation to the ITS/AS 6 classification is not appropriate unless such a written designation has been given by information technology or information services management. Lacking this designation, Mr. Akin's position does not fit within the ITS/AS 6 classification.

In *Ron Allotta vs. Department of Information Services*, Case No. R-ALLO-09-021 (2009), the Board upheld the director's determination to allocate Appellant to an ITS 5 because there was no written designation, stating:

> "Because Appellant's position lacks the written designation required by the ITS/AS 6 classification, allocation to this class in not appropriate."

Mr. Lay's position objective, listed on the PD, and information gathered at the conference call indicate he serves as a management advisor and technical consultant. As such, organizational leadership, high profile initiatives and commitments on behalf of SCC are beyond his scope of authority. For these

reasons and those outlined above, the duties and responsibilities of Mr. Lay's position best fit the definition and distinguishing characteristics of the ITS 5 job 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: Pac Lay, Appellant
Susan Engell, HR Consultant

Enclosure: List of Exhibits

PAC LAY VS. SEATTLE COLLEGE DISTRICT
ALLO-16-027

LIST OF EXHIBITS

A. Pac Lay's Exhibits

1. Request for Directors Review
2. Sample of duties/responsibilities carried out by ITS 6 and my past works and projects.
3. Job posting of ITS 6 that perform similar tasks.
4. Job posting of ITS 6 that perform similar tasks.
5. Job posting of ITS 6 that perform similar tasks.

B. Seattle College District Exhibits

1. Allocation Determination Letter.
2. Position questionnaire for classified positions..
3. IT position description
4. State of WA class specification for ITS 5.
5. State of WA class specification for ITS/AS 6.
6. Desk audit
7. Allocation matrix.
8. Position description of current job duties for 2007 alloction.
9. Organizational chart.

C. Class Specifications

1. ITS 5
2. ITS/AS Specialist 6

D. Post Conference

1. Emails between Nancy Jacobski, Susan Engel, Pac Lay and Michael Lock.