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: Yulia Simkin v Everett Community College (ECC)
Allocation Review Request ALLO-16-035

Director's Determination

This position review is based on the work performed for the six-month period prior to March 15, 2016, the date that ECC Human Resources (ECC HR) received Yulia Simkin's request for a reallocation. As the Director's Review Specialist, I carefully considered all the exhibits. Based on my review and analysis of Ms. Simkin's assigned job duties; I conclude her position is properly allocated to a Program Coordinator (PC).

Background

On March 15, 2016, Ms. Simkin submitted a Position Review Request (PRR) Exhibit B-11, to the ECC HR Office requesting reallocation from Program Coordinator to a Program Specialist 3 (PS 3).

On May 4, 2016, Linda Nichols, ECC HR, notified Ms. Simkin by memorandum that her position would remain allocated to a Program Coordinator (Exhibit B-1, Determination Memorandum).

On May 23, 2016, the Office of Financial Management, State HR (OFM SHR) received Ms. Simkin's request for a written Director's Review of ECC's allocation determination.

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

Ms. Simkin's position is within the Health Sciences and Public Safety Division at Everett Community College. She works under the direction of Kathleen Watson, Associate Dean of the Nursing Department. Her position performs duties that relate to the Nursing Program.

Position Purpose

As summarized in her PRR, Ms. Simkin states that her position provides support for the Nursing Department administrator by assessing program needs, developing courses of action to meet those needs and coordinating program services and resources. She also acts as program liaison and representative in other areas of the organization, as well as to outside entities. Her position reviews, applies and maintains compliance with specific policies, procedures and regulations within the department and as indicated by the governing department, division and organization. She participates and assists with many aspects of administrative management within the nursing department.

Duties and Responsibilities

As referenced in her PRR, Ms. Simkin's duties are summarized as follows:

10% Interpret, review and apply program specific policies, procedures and regulations.

> e.g. Set and enforced deadlines surrounding the nursing ACAC stipend. I review all stipend-related paperwork to ensure proper faculty reporting as well as timely completion and application, on a quarterly basis.

1% Attend meetings and/or conferences as program representative.

> e.g. Attended information session and orientations on the UW Bothell campus as a representative of the Nursing Program. Provided information to students regarding program requirements and expectations; responded to Inquiries regarding program specifics from potential students and parents.

5% Incumbents assess program needs and develop specialized services and training unique to the program and are responsive to participant needs.

> e.g. Complete overhaul of the existing Nursing Program advising handbook. With rapid changes occurring within the department and across campus, faculty were flooded with inquiries for which they did not have answers.

To ensure that students were all of the correct and necessary information, the advising handbook underwent a total re-write and restructuring. Created a more in-depth guide that was made available digitally as well as in print that allows for simpler use and very easy sectioned updating.

10% Assess program needs and develop courses of action to carry out program activities.

e.g. Participation on the LEAN committee to create an online application portal (program application management system), so that students are able to apply for the nursing program online. This will allow for easier data collection, a clearer step-by-step process and more straight-forward checklist of student requirements. First application cycle (Soring 16) recently went through the online system.

8% Assists higher level staff in the preparation of complex comprehensive plans, summaries recommendations, progress or special report.

e.g. Assisted in the preparation of the ACEN self-study for nursing program accreditation. Aggregated data, created tables and reviewed, proof-read and formatted the study.

10% Coordinate program services and resources.

e.g. Making travel and conference arrangements on behalf of staff and administration.
e.g. Monitoring and responding to space, telecommunication, computer and equipment needs.
e.g. Ordering and conducting the inventory of supplies.

10% Use word-processing, graphics, statistical, spreadsheet and/or database software.

e.g. Creation of various documents for use within the department organization, as well as for external use.
e.g. Creation of spreadsheets for documentation of statistical data collection within the department.

20% Incumbents are specialists who manage one component or assist higher levels in two or more components of the program.

e.g. Quarterly schedule development for the Nursing Department and our partners, including the Nursing Program itself, NAC and the UW-Bothell BSN Program.

e.g. Assist Associate Dean in faculty load development on a quarterly basis.
e.g. Ensuring that clinical affiliation contracts are in place and up to date with all of our clinical partners.

10% Works with program participants, staff, representative of outside organizations and/or members of the public in defining needs and planning designing and developing specialized program activities.

e.g. Work closely with another individual in the department to identify departmental needs, such as enforcing faculty immunization record updates, creating a new system for student advising and participating in the Online Nursing Application LEAN project.

8% Conducts research and analyzes data to identify program needs.

e.g. Participate in the development of surveys and the aggregation of data for program analysis. Collected data and created analysis tables for contribution to our accreditation self-study.

8% Writes and edits publications, reports, pamphlets or newsletters for internal and external distribution.

e.g. Work with another individual in the department to ensure that our departmental website is well-maintained and that all information is regularly reviewed to provide students, potential students and other interested parties with the most accurate and up-to-date program information.
e.g. Created materials for student distribution, such as the nursing program admissions checklist for the FYE cohort with UW-Bothell.
e.g. Update and general restructuring of the Nursing Program Curriculum Guide.

Summary of Ms. Simkin's Perspective | Position Review Request, Employee Portion (Exhibit B-5)

Ms. Simkin indicates the following in her PRR that she is:

The position of a Program Specialist 3 is defined as coordinating specialized programs, consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Due to the unique and demanding nature of the Nursing Program, I believe the work I do could not be more accurately summarized than the above.

The Nursing Program must meet the regulation standards set forth by the Washington State Nursing Commission, as well as a national accrediting agency (Accreditation Commission for Education in Nursing).

> The program also has a selective entry program, which distinguishes it from the other programs of study at ECC. We also have partnerships with two outside organizations and place grad students for their teaching practices. In addition to the faculty meetings held in all departments, the Nursing Program has two additional standing committees: Admissions and Curriculum. I attend all departmental meetings, for which I take and compile minutes, to be used for future organizational reference.

Summary of Ms. Simkin's Perspective | Request for Director's Review (Exhibit A-1)

Ms. Simkin describes her duties and responsibilities that she performs outside her current classification as follows:

> I interpret, review and apply program specific policies, procedures and regulations to ensure efficiency within the department. Unique in its nature, the Nursing Program undergoes constant changes, many of which require an immediate turn-around to staff, faculty and students. While a Program Coordinator is expected to monitor these activities in relation to established program goals, the interpretation and application of activities is more in line with the work of Program Specialist 3.
>
> I am a member of the LEAN committee that has recently created and implemented an online application portal (program application management system), so that students are able to apply for the Nursing Program online. This will allow for easier data collection, a clearer step-by-step process and more straight-forward checklist of student requirements. Our first application cycle (Spring 2016) recently went through the online system and has proven to be a success, as well as saving the Nursing Program a great deal of time and money in both physical and human resources required for the application cycle.
>
> I participate heavily in the coordination of all aspects of program services, as well as establishing and implementing resolutions for issues and problems that arise. In the time I have been in this position, I have participated in and continue to participate in, the development of several student services and resources, such as the specialized orientation for our nursing partnership program with UWB. I have actively identified student and faculty needs, such as the need for an online advising portal, which will allow students to register for advising and alleviate waiting times and guesswork, as well as the need for faculty to put in extra hours when advising demands are not being met.
>
> I assisted the Associate Dean of Nursing in the preparation of the ACEN Self-Study report for our recent Nursing Program reaccreditation. In addition to aggregating data, creating tables and organizational input, I also reviewed, proofed and conducted final formatting on the report.

> The most concise description for my current role within the Nursing Program, is that I coordinate a specialized program consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Program coordination also requires performance of tasks and application of knowledge unique to the program and not transferable or applicable to other areas of the organization. This description of my role is directly in line with the Program Specialist 3 allocation that I am requesting.

Summary of ECC's Perspective | Review Determination Memorandum (Exhibit B-1)

Linda Nichols, ECC HR, disagrees that Ms. Simkin's position reaches the level of a Program Specialist 3. As outlined in Ms. Nichols determination memorandum, she determined the majority of Ms. Simkin's duties fall within the Program Coordinator class. Ms. Nichols stated:

> Your current classification is Program Coordinator. Positions in this classification coordinate the operation of a specialized or technical program. They perform work using knowledge and experience specific to the program. They exercise independent judgment in interpreting and applying rules and regulations. They independently provide information to students, staff, program participants and/or the general public regarding program content, policies, procedures and activities. They select and/or recommend alternative courses of action. They may project, monitor or approve expenditures or have extensive involvement with student, staff and the public, coordinating, scheduling and monitoring activities to determine consistency with program goals.

Ms. Nichols continued by stating, "The information provided in the request indicates that the majority of your time is spent on duties that fit within the Program Coordinator classification." Examples of these duties include:

- Attend meetings as the program representative.
- Ensure compliance with faculty immunization updates.
- Ensure that clinical affiliation contracts are current.
- Set and enforce timelines for the Nursing ACAC stipend paperwork
- Create documents, spreadsheets and graphics using word processing, database and other software programs.
- Update the program handbook.
- Update department web site and curriculum guide.
- Assist with preparing the accreditation self-study report (compiling data, creating tables, proofreading and formatting).
- Coordinate travel and conference arrangements.
- Monitor and respond to space, telecommunication, computer and equipment needs.
- Order supplies and conduct inventory.
- Assist the Associate Dean with developing the quarterly schedule.

- Assist with developing surveys and aggregating data.
- Participated in a LEAN process for the online application.

Ms. Nichols compared Ms. Simkin's duties to the Program Specialist 2 and 3 classes as well as the Administrative Assistant 3 class. She further notes the information provided by Ms. Simkin is the majority of her time is spent on duties that most closely match the Program Coordinator classification. She came to this determination by stating, "You [Ms. Simkin] coordinate the Nursing Program, providing administrative support to the Associate Dean."

Additionally, Ms. Nichols indicated Ms. Simkin's duties do not fit into the PS 3 classification because Ms. Simkin does not have organization-wide responsibility. The duties performed by Ms. Simkin do not include the responsibility for planning, designing and developing program activities. She is not responsible for conducting investigation, recommending corrective action or resolving complex problems and issues. Ms. Nichols also stated Ms. Simkin's duties do not involve complex comprehensive plans, summaries and recommendations. Ms. Nichols did note that some of Ms. Simkin's duties may fit with the PS 2 and AA 3, the majority of her duties fall within the Program Coordinator classification.

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.[1]

Comparison of Duties to Program Specialist 2 and 3 (PS 2 and PS 3)

The Class Series Concept for the Program Specialist series states:

> Positions in this series coordinate discrete, specialized programs consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Positions coordinate program services and resources; act as a program liaison and provide consultation to program participants and outside entities regarding functions of the program; interpret, review and apply program specific policies, procedures and regulations; assess program needs; and develop courses of action to carry out program activities.

[1] 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.

> Program coordination also requires performance of tasks and application of knowledge unique to the program and not transferable or applicable to other areas of the organization.
>
> Examples of program areas may include, but are not limited to: business enterprises, fund raising, volunteer services, community resources, election administration and certification, juvenile delinquency prevention, recreational education and safety, energy education, aeronautic operations and safety, student housing, financial aid and registration.

The Definition for the PS 2 class states:

> Positions at this level work under general supervision and plan, organize, direct and coordinate operations for programs such as the business enterprise, volunteer services and community resources, elections examination/administration programs. Incumbents oversee **day-to-day program operations, function as the program representative and resource, have extensive contact with program participants and outside entities and resolve problems within a delegated area of authority.** Unusual problems, probable outcomes and solutions are presented to higher levels for resolution. Incumbents may be delegated limited authority to approve budget expenditures and may assist higher-level staff with developing and coordinating statewide program activities.

Comparison of Duties to Program Specialist 3:

The Definition of the PS 3 Class states:

> Positions at this level work under general direction and typically have organization-wide program responsibility. For programs with ***statewide impact***, incumbents are specialists who **manage one component or assist higher levels in two or more components of the program**. Programs include but are not limited to voter registration programs; boating, concession or winter recreation programs; minority and women's business enterprise programs; and aeronautics programs. Program components are comprised of specialized tasks (e.g., reservations, administration and budget coordination) within a specialty program. Incumbents assist higher-level staff by coordinating all aspects of program services, providing technical assistance and specialized, consultation to program participants, staff and outside entities and recommending resolution for complex problems and issues related to the program. Incumbents assess program participants' needs and develop specialized services and training unique to the program and are responsive to the needs of participants. [Emphasis added]

These classes are intended to describe higher-level program positions which typically have organization-wide responsibility for managing one or more components or assisting higher levels in managing two or more components of large state-wide programs. The overall scope of Ms. Simkin's responsibilities with respect to the Nursing Program within ECC does not reach this level of responsibility.

Ms. Simkin does not have organization-wide responsibility for the Nursing Program activities as required. Kathleen Watson, Associate Dean of the Nursing Program, Ms. Simkin's supervisor, retains overall authority for this program's function and activities. Ms. Simkin does not have the latitude to independently establish and adjust program priorities or evaluate program effectiveness at the level intended by this class.

Ms. Simkin performs specialized tasks that are unique to the Nursing Program within ECC. In her position, she performs duties that are in support of the program. For example she sets and enforces deadlines surrounding the nursing ACAC stipend by using set guidelines and program specific policies, procedures and regulations. She reviews all stipend-related paperwork to ensure properly reporting and timely completion and application on a quarterly basis. Ms. Simkin is performing these duties in support of the program by applying already set policies and procedures and ensuring they are correctly followed for proper compliance with ACAC program. These duties do not have a state-wide or campus-wide impact, rather they are specific to the Nursing Program.

Ms. Simkin does not have extensive contact with program participants or outside entities, nor does she oversee the day-to-day program operations, function as the program representative and resource and resolve issues within a delegated area of authority. Based on the information submitted and outlined in the PRR (Exhibit B-11), the majority of Ms. Simkin's position duties are those of a supportive role. For example:

- Complete overhaul of the existing Nursing Program advising handbook. With rapid changes occurring within the department and across campus, faculty were flooded with inquiries for which they did not have answers. To ensure that students were all of the correct and necessary information, the advising handbook underwent a total re-write and restructuring. Created a more in-depth guide that was made available digitally as well as in print that allows for simpler use and very easy sectioned updating.
- Participation on the LEAN committee to create an online application portal (program application management system), so that students are able to apply for the nursing program online. This will allow for easier data collection, a clearer step-by-step process and more straight-forward checklist of student requirements. First application cycle (Soring 16) recently went through the online system.
- Assisted in the preparation of the ACEN self-study for nursing program accreditation. Aggregated data, created tables and reviewed, proof-read and formatted the study.

- Making travel and conference arrangements on behalf of staff and administration; monitoring and responding to space, telecommunication, computer and equipment needs; ordering and conducting the inventory of supplies.
- Quarterly schedule development for the Nursing Department and our partners, including the Nursing Program itself, NAC and the UW-Bothell BSN Program; assist Associate Dean in faculty load development on a quarterly basis; ensuring that clinical affiliation contracts are in place and up to date with all of our clinical partners.

Ms. Simkin also indicates that she works closely with another individual in the department to identify departmental needs such as enforcing faculty immunization record updates, creating a new system for student advising and participating in the Online Nursing Application LEAN project.[2] All of the duties performed by Ms. Simkin play a vital role in the Nursing Program at ECC, however, she is not responsible for planning, designing and developing program activities, she does not conduct investigations or recommend corrective action or resolve complex problems or issues.

The Program Specialist 3 class describes examples of work that may apply to her position such as working with program participants, resolving conflicts and assisting higher-level staff. However, when considering the allocating factors in the class definition including the size and scope of the designated program, the scope of responsibility over the program, the level of supervision and decision-making, there are other classes which provide a better fit for her position.[3]

Comparison of Duties to Program Coordinator

The Definition of the Program Coordinator states:

> Coordinate the operation of a specialized or technical program. Distinguishing Characteristics:
>
> Under general direction, perform work using knowledge and experience specific to the program. Exercise independent judgment in interpreting and applying rules and regulations. Independently advise students, staff, program participants and/or the public regarding program content, policies, procedures and activities; select/recommend alternative courses of action and either:

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[2] The Online Nursing Application is denoted two times in the PRR and therefore can only be taken into account one time as a major duty.

[3] 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 [her] 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.

> Project, monitor, maintain, initiate and/or approve expenditures on program budgets
>
> OR
>
> Have extensive involvement with students, staff, the public and/or agencies in carrying out program activities and coordinate, schedule and monitor program activities to determine consistency with program goals.

The overall scope of Ms. Simkin's position aligns closely with the requirements of the Definition and Distinguishing Characteristics of this class. As stated in the Definition, the majority of Ms. Simkin's duties include performing a variety of specialized tasks in support of the Nursing Program.

For example, Ms. Simkin performs her duties under general direction using her knowledge and expertise specific to the program. She exercises independent judgment in interpreting and applying rules and regulations. More to the point, Ms. Simkin's main duties are that of enforcing deadlines surrounding the nursing ACAC stipend, stipend-related paperwork for proper reporting and timeliness, rework the existing Nursing Program advising handbook, schedule quarterly development for the Nursing Department and partners and participate in the development of surveys.

Furthermore, Ms. Simkin interprets, reviews and applies program specific policies, procedures and regulations to ensure efficiency within the department which is consistent with the Definition, which states, "…Exercise independent judgment in interpreting and applying rules and regulations…." She further advises staff of these changes to ensure the Nursing Program remains compliant and in good standing. Ms. Simkin also participates heavily in the coordination of all aspects of program services, as well as establishing and implementing resolutions for issues and problems that arise, this is also consistent with the Program Coordinator class as she is not managing one component or assisting higher levels in two or more components of the program, rather she is supporting the program by working in varying aspects of the program.

It is evident that Ms. Simkin's position performs a variety of duties related to the Nursing Program with multiple rules, policies and requirements and she possesses a solid understanding of the program. However, a position's allocation is not based on an evaluation of performance, nor does a position's allocation diminish the importance of the work performed by an incumbent. The allocation is based on the majority of duties assigned to a position and how the work best aligns with available job classes. As such, the overall scope of duties and level of responsibility assigned to Ms. Simkin's position best fits the Program Coordinator classification.

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: Yulia Simkin, Appellant
Linda Nichols, ECC Human Resources

Enclosure: List of Exhibits

<u>YULIA SIMKIN v Everett Community College</u>
ALLO-16-035

LIST OF EXHIBITS

A. Yulia Simkin Exhibits

1. Request for Director's Review
2. Allocation determination letter dated May 4, 2016
3. Position Review Request dated February 29, 2016
4. Supervisor review
5. Classification specification – Program Coordinator
6. Classification specification – Program Specialist 3
7. Organizational chart – Health and Sciences and Public Safety

B. ECC Exhibits

1. Allocation determination letter dated 05-04-2016 (sent via email)
2. Employee's acknowledgement of receipt of determination notice
3. Position Description (current position)
4. Organization Chart – Instruction and Student Services
5. Organization Chart section – Health Sciences and Public Safety
6. Class specification – Program Specialist 2
7. Class specification – Program Specialist 3
8. Class specification – Administrative Assistant 3
9. Class specification – Program Coordinator
10. Email to employee – receipt of Position Review Request
11. Position Review Request, received 02-29-16

C. Class Specifications

1. Administrative Assistant 3
2. Program Coordinator
3. Program Specialist 2
4. Program Specialist 3