



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM

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October 4, 2016

TO: Connie Goff  
Rules and Appeals Section Chief

FROM: Caroline Kirk  
Director's Review Specialist

SUBJECT: Jennifer Norwood vs. Washington State Patrol (WSP)  
Allocation Review Request ALLO-16-042

**Director's Determination**

As the Director's Review Specialist, I carefully considered the documentation in the file and the exhibits provided by both parties. Based on my review and analysis of Jennifer Norwood's assigned duties and responsibilities, I conclude her position is properly allocated to Procurement and Supply Specialist 1 (PSS 1).

**Background**

On February 10, 2016, Ms. Norwood submitted a Position Review Request (PRR) to the HR Office at Washington State Patrol in Olympia requesting reallocation from PSS 1 to Procurement and Supply Specialist 2 (PSS 2).

By email dated May 25, 2016, Yvette Fabregas, Human Resource Consultant, WSP, on behalf of Dr. Ben Lastimado, notified Ms. Norwood that her position was properly allocated to PSS 1 (Exhibit B-1).

On June 1, 2016, OFM State HR received Ms. Norwood's request for a Director's review of WSP's allocation determination (Exhibit A-1). Ms. Norwood agreed to a written decision of the Director's review. In her request, Ms. Norwood stated she believes the duties of her position best fit the PSS 2 job class.

**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).

Positions are to be allocated to the class which best describes the majority of the work assignment. *Ramos v DOP*, PAB Case No. A85-18 (1985).

### **Organizational Structure**

As evidenced in the organizational chart (Exhibit B-10), the Property Management Division at WSP employs maintenance mechanics, managers, supervisors, technical staff, management analysts, warehouse operators and clerical staff. The division includes a Fleet and Supply Unit managed by Steve Smeland, Fleet and Supply Manager. Reporting to Mr. Smeland is Jeff Speer, Supply Assistant Manager, who supervises one secretary senior, three warehouse operators, one fiscal technician, one procurement and supply specialist 3, three procurement and supply specialist 2s and one procurement supply specialist 1; the procurement supply specialist 1 is Ms. Norwood.

### **Position Purpose**

As stated in her PRR, Ms. Norwood serves as the supply purchasing agent for the Fleet and Supply Department within the Property Management Division at WSP. Her position is responsible for the centralized purchasing of trooper ballistic vests and boots for WSP. Ms. Norwood performs a variety of purchasing functions for the Property Management Division including researching, advising and preparing purchases, negotiating with vendors, processing equipment orders, tagging equipment and maintaining inventories of related equipment. Ms. Norwood also ensures receipt of equipment and matches purchase amount to the billing statement which are then forwarded to her supervisor for approval.

### **Duties and Responsibilities**

According to the PRR submitted to WSP HR on February 10, 2016, Ms. Norwood's duties and responsibilities are divided by the following percentages:

#### 40% Order Ballistic Vests

Checking vest expiration list and Webworks to see when the last vest was ordered. Make sure I have correct budget code and approval signature. Enter Purchase Order into Webworks, send order to Armore Express vendor. Pull list of vests expiring soon, send notices out. Coordinate vest fittings with vendor.

#### 35% Order boots

Check Webworks to see when last order was placed. Make sure I have correct budget code and approval signature. Enter order into Webworks, send Purchase Order to Blumenthals' vendor. Follow up with requestor order has been placed. Work with vendor if a return or exchange needs to be made.

- 10% Research and place orders for Information Technology Division, Communications Division, Electronic Services Division and Homeland Security Division.

Ordering printers, monitors, keyboards, mice, cell phone cases, cables, furniture including chairs and sit/stand desks and other misc. items, headsets. Research to see if item is on contract, search for best, lowest shipping costs, etc.

- 10% Process monthly credit card statement

Make sure goods are received before paying on credit card statement, following up with the requestor to make sure order is received. Make sure dollar amount on purchase order matches what is being charged on credit card statement. Reconcile, submit to our Fiscal Tech 2 for final processing.

- 5% Help in warehouse when needed, Fleet when needed; help with duties for Inventory Asset Position

I helped in the warehouse for the weapon exchange, I helped out in fleet receiving orders, and I also helped with duties for the inventory Asset position.

Ms. Norwood reports to Jeff Speer who is the Supply Assistant Manager. Mr. Speer completed the Supervisor Portion of the PRR (Exhibit B-8) and disagrees with a portion of Ms. Norwood's description of assigned duties and responsibilities. Mr. Speer indicates that Ms. Norwood does not have purchasing authority as a PSS 2 requires.

He further indicates that Ms. Norwood has the following decision making authority:

- when to use her department issued credit card to purchase commodities;
- verifies the budget code is correct and the purchase is authorized;
- contacts vendors and attempts to resolve problems such as receiving the wrong commodity, wrong size, damaged, etc.; and
- negotiates a better price on the commodity or shipping charges.

Mr. Speer indicates that Ms. Norwood must receive his approval for the following:

- cancelling orders that are in progress;
- substituting a commodity with a similar product when the original commodity is unavailable;
- requests to increase credit card limits; and
- ordering a contracted commodity off contract.

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

Ms. Norwood asserts her position meets the PSS 2 class on the basis of inheriting temporary duties when the PSS 2 position became vacant and the work appeared to be very similar to her current duties.

### Summary of WSP's Reasoning

Below are key statements from Ms. Fabregas' Allocation Determination Letter:

...

When determining the appropriate classification of your position, HRD considered all duties and responsibilities to support the appropriate and best overall fit. As a result, HRD has determined that your position is allocated correctly as a PSS1.

...

Your position does not have responsibility to negotiate contracts, or analyze bids for multi-commodity purchase contracts and procurement of products and services or agreement. These duties are performed primarily by the PSS3 in conjunction with the division/district, Budget and Fiscal Services, and your support in preparing the required paperwork.

...

As defined in the definition and distinguishing characteristics of PSS2, your position does not reach the level of responsibility for planning, coordinating and procuring parts and equipment and conducting purchasing projects for specialized commodities.

### 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.<sup>1</sup>

### Procurement and Supply Specialist 2

The Definition for this class states:

**Plans, coordinates**, and performs procurement of services, supplies, materials, parts and equipment for an agency, institution or facility or on behalf of client agencies, institutions, colleges and universities in accordance with state laws and requirements. Maintains inventory and accountability functions of purchased items or services. [Emphasis added]

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<sup>1</sup> In *Norton-Nader v. Western Washington University*, PRB Case No. R-ALLO-08-020 (2008), the Personnel Resources Board (Board) stated that the following standards are the hierarchy of primary considerations in allocating positions: a) Category concept (if one exists); b) Definition or basic function of the class; c) Distinguishing characteristics of a class; and d) Class series concept, definition/basic function, and distinguishing characteristics of other classes in the series in question.

The distinguishing characteristics for this class state:

Under general supervision, conducts **purchasing projects for specialized commodity areas**. Activities include **analysis of bids for multi-commodity purchase contracts** and/or procurement of products, development of specifications and analysis of bids for products and services. Resolves vendor performance problems. [Emphasis added]

Ms. Norwood's position does not fully reach the level of responsibility for planning, coordinating and bid analysis as required by the Definition and Distinguishing Characteristics of this class.

Although the majority of Ms. Norwood's duties consist of the purchasing for ballistic vests and boots, which appears as a specialized commodity, the primary focus of her position, and the overall scope of her purchasing do not include responsibility for developing specifications and analyzing bids, purchasing projects for commodity areas or products as required.

In addition, a small portion of her duties include ordering furniture from established DOC vendors, keyboards, printers, headsets, etc. However, deviation from established methods, procedures or guidelines requires approval. She also matches purchase amounts to billing statements to ensure dollar amounts match.

Ms. Norwood does not analyze bids for compliance with bid specifications with complex variables. She does not fully conduct research for new sources of supply. She primarily contacts existing vendors and suppliers as the majority of ballistic vests and boots are under a master contract.

The majority of Ms. Norwood's position duties involve independently pulling lists of ballistic vests and boots expiring soon and purchasing these items using a specified vendor. She ensures the correct budget codes are used and sends it for approval. These duties are consistent with and more appropriately aligned with the PSS 1 level of responsibility.

### **Procurement and Supply Specialist 1**

The definition for this class states:

**Orders, receives, stores inventories, and issues a variety of services, materials, supplies, parts, and equipment** for an institution or agency or on behalf of client agencies, institutions, colleges and universities; **processes ordered items and services to and from vendors** and/or surplus property office; procures supplies, services, materials and equipment, issues bids and awards contracts **within dollar limitations assigned by the purchasing authority** in support of institution- or –agency wide purchasing activities or on behalf of client agencies for designated buying areas; assigns work to subordinate employees. [Emphasis added]

While there is overlap between the PSS 1 and 2 level classes, the overall level and scope of responsibility of Ms. Norwood's position is more accurately aligned with the level work described by this class.

Ms. Norwood serves as the designated ballistic vests and boots purchasing agent for WSP. She independently orders, receives, inventories and issues these supplies for WSP. This is consistent with the definition statement of ordering, receiving, inventories, issuing a variety of services, materials, supplies, parts and equipment within dollar limitations assigned by the purchasing authority in support of agency wide purchasing activities for a designated buying area.

A portion of her work includes performing centralized purchasing for a variety of equipment and supplies for the Information Technology Division, Communications Division, Electronic Services Division and Homeland Security Division within WSP. She also processes equipment orders and tags and inventories equipment. She identifies receives items to be repaired and ships items to vendors requesting warranty repairs.

Furthermore, while examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification. The typical work statements that most closely align with the employees' duties and responsibilities include:

For identified commodities and services, determines appropriate course of action/procurement methodology including, but not limited to, competitive bids, sole source acquisitions, requests for proposal or direct negotiations;

Reviews and prioritizes requests in accordance with approved guidelines;

Performs ongoing contract and contractor evaluations to ensure goods and services are delivered and in accordance with contract requirements and process remain competitive with general market;

Researches for new sources of supply; locates and contracts vendors and suppliers;

Participates in negotiations to correct performance, price adjustments or contract termination;

Meets with contractor representatives and customers to resolve contractual issues;

Initiates change orders and supplemental agreements for goods and services;

Verifies shipments by checking field orders and purchase orders against the shippers' packing list and parts received;

Maintains record system and perpetual inventory records, which may include establishing and maintaining commodity master records;

Represents agency as attendee at trade shows and purchasing conventions;  
Reviews trade publications to stay current with market trends;

Communicates with suppliers to stay current with industry developments;

Maintains other records as required;

Maintains good public relations and safety practices;

May plan for, identify, classify, assign, and work with commodity code numbers for all items requisitioned by State agencies on a recurring basis;

May serve on multi-agency client committees to evaluate input relative to specification development and contract award;

May prepare items for proper disposal;

Ms. Norwood's duties are fully consistent with these statements. She independently reviews and prioritizes purchases for WSP. She purchases the appropriate equipment products under both existing Master contracts and through independent vendors as needed. She independently determines the appropriate procurement methodology including sole source acquisitions. She obtains price quotes in accordance with WSP's established purchasing guidelines. This includes researching and locating vendors for items that are not under the State's Master contracts and obtaining price quotes as required.

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

Based on the overall duties and responsibilities, Ms. Norwood's position is properly allocated to the Procurement and Supply Specialist 1 classification.

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<sup>2</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 *Allegrì v. Washington State University*, PAB Case No. ALLO-96-0026 (1998), in which the Personnel Appeals Board noted that while the appellant's duties and responsibilities did not encompass the full breadth of the duties and responsibilities described by the classification to which his position was allocated, on a best fit basis, the classification best described the level, scope and diversity of the overall duties and responsibilities of [his] position.

### **Appeal Rights**

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation or the agency utilizing the position, may appeal the allocation or reallocation to the Washington personnel resources board. Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is PO Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located on the 3rd floor of the Raad Building, 128 10th Avenue SW, Olympia, Washington. The main telephone number is (360) 407-4101 and the fax number is (360) 586-4694.

If no further action is taken, the Director's determination becomes final.

cc: Jennifer Norwood, Appellant  
Yvette Fabregas, Human Resource Consultant

Enclosure: List of Exhibits

**JENNIFER NORWOOD v WSP**  
**ALLO-16-042**

**LIST OF EXHIBITS**

A. Jennifer Norwood Exhibits

1. Request for Director's Review
2. Response Letter to Allocation Decision

B. WSP Exhibits

1. Allocation Determination Letter to employee
2. Desk Audit write-up
3. Desk Audit Questionnaire – Employee Portion (K. McClintock)
4. Desk Audit Questionnaire – Employee Portion (Yvette Fabregas)
5. Desk Audit Questionnaire – Employee Portion (Melodie Wulfekuhle)
6. Desk Audit Questionnaire – Supervisor (Melodie Wulfekuhle)
7. Desk Audit Questionnaire – Supervisor (Yvette Fabregas)
8. Position Review Request – Supervisor Portion
9. Position Review Request – Employee Portion
10. Organizational Org Chart
11. PDP – Norwood (submitted, but not considered)
12. PDF – Norwood (PSS1)
13. Email 1
14. IOC Request from Ms. Jennifer Norwood for a desk audit
15. Email 2
16. Job Class Specifications for PSS 1
17. Job Class Specifications for PSS 2

C. Class Specifications

1. Procurement & Supply Specialist 1
2. Procurement & Supply Specialist 2