



STATE OF WASHINGTON
OFFICE OF THE STATE HUMAN RESOURCES DIRECTOR
DIRECTOR'S REVIEW PROGRAM
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August 10, 2012

TO: Joe Kuhn, Teamsters Representative

FROM: Teresa Parsons, SPHR
Director's Review Program Supervisor

SUBJECT: Douglas Frazier v. Department of Corrections (DOC)
Allocation Review Request ALLO-11-112

On May 15, 2012, I conducted a Director's review telephone conference regarding the allocation of Douglas Frazier's position. You and Mr. Frazier both participated in Director's review conference. Human Resources Consultant Tina Cooley represented DOC. In addition, Human Resources Consultant Julie Holford and Facilities Manager Richard Moore from Airway Heights Corrections Center (AHCC) participated in the conference. Human Resources Consultant Sarah Conly observed as well. After the Director's review conference, the parties submitted additional documents received through June 20, 2012.

Director's Determination

This position review was based on the work performed for the twelve-month period prior to March 15, 2011, the date AHCC's Human Resources (HR) Office received Mr. Frazier's request for a position review. As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review conference, and the verbal comments provided by both parties. Based on my review and analysis of Mr. Frazier's assigned duties and responsibilities, I conclude his position should be reallocated to the Maintenance Mechanic 2 classification.

Background

Mr. Frazier works in the Maintenance Department at Airway Heights Corrections Center (AHCC) and reports directly to a Plant Manager 3 position (Exhibit B-5). From February 1, 2010 through May 31, 2010, Mr. Frazier worked in a non-permanent position as a Maintenance Mechanic 4 (MM 4). While in the non-permanent, MM 4 position, Mr. Frazier's primary responsibilities involved welding and fabricating (Exhibit A-3, pages 4-10). At that time, the individual who previously worked as the MM 4, primary welder for AHCC in the "weld shop" had retired, and

DOC decided not to fill the position permanently. Ms. Cooley affirmed Mr. Frazier had performed duties and been compensated at the MM 4 level for the first three months of this review period (March – May 2010). On May 31, 2010, Mr. Frazier's non-permanent appointment ended, and he returned to a Maintenance Mechanic 1 (MM 1) position, beginning June 1, 2010.

During the Director's review conference, Mr. Frazier indicated that subsequently, "the weld shop had been shut down" from approximately June through October 2010. In response to time records provided by Mr. Frazier, Ms. Cooley included a document illustrating the number of hours spent on welding duties compared to the total hours worked. The document shows that Mr. Frazier did not work any maintenance hours from July through September 2010 (Exhibit D-5-b), which includes the approximate time period he indicated the "weld shop" had been closed. In addition, there were no time tracker records included for the months of July through September 2010 (Exhibit A-3).

For the months of October through December, Mr. Frazier performed minimal welding duties; however, January through March 2011 time records indicate that more than half of Mr. Frazier's time was spent performing welding duties (Exhibit A-2, pages 1-6 and Exhibit D-5-b). On March 15, 2011, Mr. Frazier completed and submitted a Position Review Request (PRR) asking that his MM 1 position be reallocated to the MM 4 classification.

On November 8, 2011, Ms. Cooley denied Mr. Frazier's request for reallocation and determined his position was appropriately allocated to the MM 1 job class.

On November 21, 2011, the Office of the State Human Resources Director (OSHRD) received Mr. Frazier's request for a Director's review of DOC's allocation determination.

Summary of Mr. Frazier's Perspective

Mr. Frazier asserts he assumed the duties of the former MM 4 who ran the weld shop after he retired. Mr. Frazier agrees he had been assigned to a non-permanent position as an MM 4. However, he contends AHCC continued to assign MM 4 level welding duties to his MM 1 position after eliminating the permanent MM 4 position. Mr. Frazier further asserts he performs journey level welding duties at the MM 4 level of expertise the majority of the time. Mr. Frazier states he is the only certified welder at the AHCC facility. As a result, Mr. Frazier contends his position has been assigned quality level welding and fabrication jobs and that a number of those work orders go directly to him.

Mr. Frazier states that when he receives a work order, he figures out what needs to be done and what materials need to be ordered. Mr. Frazier acknowledges his supervisor then approves the list of materials that Mr. Frazier creates and that he (Mr. Frazier) may ask for clarification about the item being requested to ensure he knows what the individual requesting the item has in mind. However, Mr. Frazier contends he devises his own work methods, and he emphasizes that he independently completes welding and metal fabrication jobs without the presence of a journey level welder. Mr. Frazier contends he does not perform work under a journey level position or require oversight and supervision by a journey level position. Mr. Frazier asserts his position should be reallocated to the MM 4 job class.

Summary of DOC's Reasoning

DOC acknowledges Mr. Frazier had performed welding duties the majority of the time when he was assigned to the non-permanent position as an MM 4. However, DOC emphasizes he was compensated at the MM 4 level during the time he performed those duties. DOC further acknowledges Mr. Frazier's position performed more welding tasks than other maintenance mechanic positions during the time period relevant to this review. However, DOC contends there is not enough welding work needed at AHCC to employ a full-time welder. Further, DOC asserts other maintenance mechanic positions also perform welding tasks and that the ability to weld is part of a skill set included in the MM 1 through MM 4 job classes.

DOC maintains that Mr. Frazier does not perform welding a majority of the time and that his primary duties involve gardening. In addition, DOC contends the welding duties assigned to Mr. Frazier's position are at the sub-journey level. DOC asserts Mr. Frazier's supervisor and manager do provide input and are aware of his work projects and that he works for someone who is a journey level skilled worker. DOC asserts Mr. Frazier has been assigned a multitude of maintenance tasks encompassing grounds maintenance and general repair work during the review period. DOC recognizes the excellent work Mr. Frazier performs but contends the majority of work assigned at the time relevant to this review fits the MM 1 classification.

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).

Duties and Responsibilities

The Position Description Form (PDF) on file at the time of DOC's review was from December 2006 and identified Mr. Frazier's position as an MM 1 (Exhibit B-1). On the 2006 PDF the Position Objective has been described as follows:

Reporting to a Plant Manager 3, this position supervises inmate crews and performs semi-skilled and sub journey work in the maintenance and repair of small appliances and other equipment, conducts central tool crib operations, purchasing and disposal of tools in the MSU [Minimum Security Unit] Facility. This position also supports ground maintenance, and a required pesticide license to support living conditions and the mission of the Maintenance Department at AHCC and to provide for the public safety.

The majority of work described on the PDF as 51% includes directing, supervising, training, instructing, and working with a crew of 1 – 10 inmates in "semi-skilled and sub journey maintenance and repair" and operation of all types of equipment as needed. The majority of work also includes performance of preventive maintenance. Other duties described on the PDF

include directing and supervising an inmate crew performing landscape, irrigation systems, roadway maintenance, pesticide application, and gardening (30%) and operating the Central Tool Crib in the SMU Facility (10%).

During the Director's review conference, Mr. Frazier clarified his position does not repair small appliances. In addition, he pointed out the PDF from 2006 does not include welding duties, indicating that DOC changed his current PDF (after the time period of this review) to include welding at sub journey level. Mr. Frazier, however, maintains that he has been performing journey and expert level welding since he served in the non-permanent, MM 4 position.

On the Position Review Request (PRR), Mr. Frazier describes his position's purpose, in part, as fulfilling "an essential need to both the main and [Minimum Security Unit - MSU] institutions in all aspects of fabrication, repair modification, and welding of custom built weldments, providing for the safety and security of the institution." He further indicates his position exists "to play a key role in [MSU] tool control, [MSU] grounds maintenance, general repair of small engines and implements, excavation and heavy equipment operation site wide" (Exhibit B-2, page 1).

In summary, Mr. Frazier describes the majority of his duties on the PRR (52%) as supervising, directing, training, and working "along side journey and sub journey level inmates in the welding, fabrication and modification of specialty weldments custom built for the main and [MSU] prison." Mr. Frazier then describes 35% of his duties as supervising, directing, and training inmates in grounds maintenance, repair of small engines, and repair and installation of irrigation systems (Exhibit B-2, page 3).

Mr. Frazier's supervisor, Plant Manager 3 Michael Albrecht, and Facilities Manger Richard Moore both signed the PRR but did not agree that Mr. Frazier's statements were accurate and complete (Exhibit B-2, page 6). During the Director's review conference, Mr. Moore clarified that he disagreed with the percentages of time Mr. Frazier had indicated, and Mr. Moore stated that Mr. Frazier's position had not been assigned to perform welding duties the majority of the time. In addition, Mr. Moore stated that others at AHCC also perform welding work as needed. Mr. Frazier's supervisors acknowledge that when a work order is issued for the weld shop, Mr. Frazier makes recommendations on material and how it will be used. Mr. Frazier then orders the materials with his supervisor's approval (Exhibit B-2, page 6 and Exhibit B-7). During the Director's review conference, Mr. Moore further acknowledge that the majority of work orders do go out to the "building A-3 weld shop" but stated the percentage of work orders for welding is not that high.

During the Director's review conference, both parties described Mr. Frazier's grounds maintenance work as including the supervision of an inmate crew out mowing lawns, operating weed eaters, push mowers, and tractors; occasionally hauling gravel and operating a backhoe to dig trenches around water lines; operating equipment for snow removal; repairing and replacing irrigation system and sprinkler heads and ensuring all valves and timers work properly; and applying pesticides. Mr. Frazier also stated that he maintains equipment and gets it ready for the following season. He indicated these duties were in addition to the welding and fabricating duties. Mr. Moore clarified the level of supervision provided to Mr. Frazier depends on the project but also stated that Mr. Frazier did not receive much supervision on grounds work.

Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations.

The **Maintenance Mechanic** class series concept states the following:

Positions in this series perform general maintenance, repair, remodeling and construction duties utilizing working knowledge of several related skill fields such as electrical, plumbing, carpentry, welding, painting and machinist work. Incumbents inspect, repair, install and maintain physical facilities, locks and maintain and repair machinery and equipment. Positions may be required to lead or supervise and instruct offenders, inmates or residents in general maintenance activities.

Mr. Frazier's position has been assigned work performing general maintenance and repairs, as well as operation, of all kinds of equipment; grounds maintenance, including irrigation systems and gardening; welding and fabrication duties; and he works with an offender crew. Further, Mr. Frazier reports directly to a Plant Manger 3 position. Mr. Frazier's duties fit within the Maintenance Mechanic class series.

While I also considered the **Grounds and Nursery Services Specialist** class series (Exhibit C-5), which includes maintenance of grounds, and landscaping work, the Maintenance Mechanic class series better encompasses the totality of Mr. Frazier's duties, which include welding and fabrication as well as maintenance and repair of other equipment.

At the **Maintenance Mechanic 1** level, the definition states the following:

Positions perform semi-skilled and sub journey work in the maintenance, repair, remodeling, alterations and construction of buildings, grounds, facilities, and equipment. Positions are used as general repairers when no immediate journey level tradesperson is available. General repairer positions are used when it would be impractical to have several journey level tradespersons on site. Other positions perform a variety of semi-skilled maintenance duties requiring a limited knowledge of various trade skills. These positions work independently in routine maintenance assignments or under the technical direction of a journey level position.

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 MM 1 typical work statements include the following:

- Independently performs semi-skilled work in . . . welding and metal fabrication . . . ;
- Under the technical direction of a journey-level trades worker, performs skilled work . . . ;
- Operates hand tools, power tools and other shop equipment as needed;
- May assist in the fabrication of equipment and materials constructed in trade shops in accordance with project requirements;

- Positions may lead or supervise lower level staff or instruct offenders or residents.

In addition, OSHRD's Glossary of Classification Terms defines entry level work as follows:

Entry - Performs beginning level work under close or direct supervision. Incumbents typically work within narrowly established guidelines and parameters. Duties are often repetitive and routine and decision-making is limited. Clear work directions and parameters are provided and outcomes are reviewed by higher levels.

Mr. Frazier's position does not report to a higher level Maintenance Mechanic position within the class series. Instead, he reports directly to the Plant Manger 3 position (Exhibit B-5). Although DOC describes Mr. Frazier's welding and fabrication duties as semi-skilled or sub-journey, many of the duties described in the time tracker records from March through May 2010, when he performed and was compensated at the MM 4 level, are similar to those described when he started performing welding and fabrication tasks again in October 2010. Therefore, the time tracker records lend support to Mr. Frazier's assertion he performed welding and fabrication tasks that exceeded semi-skilled and sub journey work.

I understand Mr. Frazier has performed a gamut of welding duties that may range from sub journey to expert level work, as evidenced by his non-permanent appointment to the MM 4 position. Further, positions at the entry level in the class series may work independently on routine assignments. However, during the time relevant to this review AHCC assigned the majority of welding work, when needed, to Mr. Frazier's position, and he performed his duties without being under the technical direction of a journey level welder who closely supervised his work. In addition, the grounds maintenance work was performed with little supervision and his other duties included operating heavy equipment, such as a front end loader, digging and excavating. The totality of these duties extends beyond sub journey, entry level work. Not including the time he spent working in the non-permanent position from March – May 2010 or the months he worked zero hours from July – September 2010 (Exhibit D-5-b), the majority of work performed for the rest of the review period (in particular from November 2010 – March 2011) demonstrates above sub journey, entry level work (Exhibit A-3, pages 13-15 and Exhibit A-2, pages 1-6). Overall, the scope of Mr. Frazier's assigned duties exceeds the sub journey level, where oversight is provided by a journey level worker.

At the **Maintenance Mechanic 2** level, the definition states, in part, the following:

This is the journey, working or occupational level of the series. Positions at this level perform a variety of skilled work in the operation, maintenance, repair, remodeling and construction of buildings, grounds, machinery, mechanical facilities and equipment . . . Incumbents work independently and utilize a general knowledge of several related skill fields such as plumbing, electrical, welding, carpentry, and machinist work.

The MM 2 typical work statements include the following:

- Performs preventative maintenance and repairs on all types of mechanical equipment . . . to ensure proper operation;

- Performs preventative maintenance . . . on shop equipment;
- Performs maintenance, operation, and repair of . . . mechanical and structural systems . . .
- Operates hand tools, power tools and other shop equipment; performs welding and metal fabrication; fabricates materials and equipment.

The OSHRD's Glossary of Classification Terms defines journey level work as follows:

Journey - Fully competent and qualified in all aspects of a body of work and given broad/general guidance. Individuals can complete work assignments to standard under general supervision. Also referred to as the working or fully-qualified level.

Mr. Frazier's position has been assigned a multitude of tasks ranging from grounds work, equipment operation and maintenance, and welding and metal fabrication duties. While his supervisor (Plant Manager 3) approves orders for materials based on Mr. Frazier's recommendation and is aware of his work projects, Mr. Frazier performs his duties at the fully competent and qualified level under general guidance from the Plant Manger 3.

The **Maintenance Mechanic 3** has been described as the "senior, specialist or leadworker level of the series" where positions "perform skilled work in more than one trade or craft, [and] typically specialize in one trade or craft but perform journey-level and semi-skilled work in a variety of disciplines."

The OSHRD's Glossary of Classification Terms defines senior level work as follows:

Senior - The performance of work requiring the consistent application of advanced knowledge and requiring a skilled and experienced practitioner to function independently. Senior-level work includes devising methods and processes to resolve complex or difficult issues that have broad potential impact. These issues typically involve competing interests, multiple clients, conflicting rules or practices, a range of possible solutions, or other elements that contribute to complexity. The senior-level has full authority to plan, prioritize, and handle all duties within an assigned area of responsibility. Senior-level employees require little supervision and their work is not typically checked by others.

During this review period, Mr. Frazier did not fully have the authority to plan, prioritize, and handle all duties within the weld shop. Therefore, allocation to the MM 3 job class is not the best overall fit.

The **Maintenance Mechanic 4** has been described as the "supervisory or expert level of the series" where positions "are responsible for shop administration and supervising maintenance personnel, equipment mechanics or others performing skilled maintenance, repair and modification of plant machinery and mechanical equipment . . ."

The OSHRD's Glossary of Classification Terms defines expert level work as follows:

Expert - Within the context of the class series, has the highest level of responsibility and extensive knowledge based on research and experience in a

specific area. Resolves the most complex, critical, or precedent-setting issues that arise. Positions act as a resource and provide guidance on specialized technical issues. Although an employee may be considered by their peers as an expert or "go-to" person at any level, for purposes of allocation, the term is typically applied to an employee in a higher class level who has gained expertise through progression in the series.

Mr. Frazier's position had previously been assigned MM 4 level work while in the non-permanent position. Although he performs a variety of duties that may range in complexity from semi-skilled, sub journey through expert level welding and metal fabrication, the duties performed during the time relevant to this review included grounds maintenance work as well. Overall, the level, scope and diversity of Mr. Frazier's assigned duties and responsibilities at the time of this review best align with the Maintenance Mechanic 2 job 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 P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located at 521 Capitol Way South, Olympia, Washington. The main telephone number is (360) 664-0388, and the fax number is (360) 586-4694.

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

c: Douglas Frazier
Tina Cooley, DOC
Lisa Skriletz, OSHRD

Enclosure: List of Exhibits

DOUGLAS FRAZIER v DOC
ALLO-11-112

A. Douglas Frazier letter of request received November 21, 2011

Exhibits:

1. 2012 Time Tracker Sheets (1 page) – Informational outside timeframe
2. **2011 Time Tracker Sheets (page 1-24)- Jan. – March 2011**
3. **2010 Time Tracker Sheets (page 1-15)- March – Dec. 2010**
4. 2009 Time Tracker Sheets (page 1-15) - Informational outside timeframe
5. 2008 Time Tracker Sheets (page 1-10) - Informational outside timeframe
6. Work order sheets – sampling of jobs completed (page 1-25)
7. Position Descriptions from facilities across the state performing welding duties for the majority of their work:

(Informational only - outside scope)

- a) Position RX46, 8-16-08, Fernando Fernandez, CRCC, MM-4
- b) Position GH09, 11-13-06, Kellyo Gallaher, WSP, MM-4
- c) Position F311, 11-14-06, Gregory O Banner, OCC, MM-4
- d) Position CR66, 1-10-11, Dave Gribbe MCC, MM-4
- e) Position HA45, 10-18-10, Thomas Wayne, MCC, MM-4
- f) Position BN36, 4-5-11, Ed Klopfer MCC, MM-4
- g) Position CR67, 4-5-11, Ron Simmons MCC, Construction maintenance project supervisor
- h) Position HA46, 8-4-10, Ricardo Lopez, MCC, MM-3
- i) Position BN35, 8-4-10, Troy Hansen, MCC, MM-4
- j) Position 0751, 8-11-10, Peter Chandler, MCC, MM-4
- k) Position 1372, no date, Douglas Campbell, CBCC, MM-4
- l) Position B308, no date, Russell A. Rogers, CCCC, MM-4

B. DOC Exhibits

1. 2006 Position Description (page 1-6)
2. Position Review Request with supervisor's signature (page 1-7)
3. Supervisor's 2011 Position Description (page 1-6)
4. Supervisor's 1999 CQ (page 1-2)
5. Organizational Chart
6. June 2011 email chain re: appreciation of Mr. Frazier's work on Spokane County Metal targets (page 1-2)
7. Job review notes (page 1-4)
8. November 8, 2011 DOC allocation determination letter (page 1-5)

C. Class Specifications

1. Maintenance Mechanic 1
2. Maintenance Mechanic 2

3. Maintenance Mechanic 3
4. Maintenance Mechanic 4
5. Grounds and Nursery Services Specialist 1 (class series concept)

D. Additional emails/documents after the Director's review conference

1. May 31, 2012 email from Joe Kuhn with attached Time Tracker records for Mark Elwood (12 pages).
2. May 31, 2012 email from Joe Kuhn with attached time Tracker records for Mikel Hansen (9 pages).
3. May 31, 2012 email from Joe Kuhn with attached time Tracker records for Steve McCallum (9 pages).
4. June 14, 2012 email from Joe Kuhn regarding weld shop meeting
5. June 20, 2012 email from Tina Cooley responding to time records:
 - a. Clarification/background of welding and Mr. Frazier's position
 - b. Spreadsheet illustrating welding duties in relation to total duties for Mr. Frazier and others
6. June 20, 2012 email from Joe Kuhn regarding welding duties
7. June 20, 2012 email from Joe Kuhn regarding shut down of weld shop