

September 8, 2006

Mr. Herman Gilman  
Washington Federation of State Employees  
444 N.E. Ravenna Blvd., Suite 108  
Seattle, Washington 98115

RE: Cornelia (Dee Dee) Holt v. Department of Ecology  
Allocation Review Request 06AL0021

Dear Mr. Gilman:

On August 16, 2006, I conducted a Director's review meeting at the Department of Personnel, 2828 Capitol Boulevard, Olympia, Washington, concerning the allocation of Ms. Holt's position. Present at the Director's review meeting were you and Ms. Holt; Jan Bacon and Brenda Reagan, both Human Resource Consultants representing the Department of Ecology; and Susanne Winters, Regional Business Administrator, also with the Department of Ecology.

### **Background**

On July 14, 2005, the Department of Ecology's Employee Services Office received a Classification Questionnaire (CQ) from Ms. Holt's manager, requesting that Ms. Holt's position #2752 be reallocated from a Publications Specialist to an Office Assistant 3. During the Director's review meeting, Ms. Winters explained that the word processing unit Ms. Holt had been assigned to as a Publications Specialist had been disbanded, and her position #2752 was reassigned to the regional records processing center. As a result, Ms. Holt's position assumed new duties and responsibilities.

By letter dated August 18, 2005, Jan Bacon, Human Resource Consultant, notified Ms. Holt her position had been reallocated to the class of Office Assistant 3, effective September 6, 2005. On September 26, 2005, the Department of Personnel received Ms. Holt's request for a Director's review. Ms. Bacon subsequently learned that Ms. Holt had not reviewed or signed the July 2005 CQ, which was the basis for reallocation, and she rescinded her August 18, 2005 reallocation decision.

Ms. Bacon then suggested a new Position Description Form (PDF) be completed to describe Ms. Holt's duties, which Ms. Holt and her supervisor both signed on November 30, 2005. On January 1, 2006, prior to Ms. Bacon issuing a new allocation decision, Ms. Holt's Publications Specialist position "crosswalked" to the Communications Consultant 1 class due to implementation of the new classification plan.

On February 13, 2006, Ms. Bacon notified Ms. Holt that her Communications Consultant 1 position was reallocated to the class of Office Assistant 3, effective March 1, 2006, based on the duties outlined in the November 2005 PDF for position #2752. In her decision, Ms. Bacon concluded the majority of the duties assigned to Ms. Holt's position best fit the criteria for the Office Assistant 3 classification because they included working with files, entering information into a database, responding to public disclosure requests, copying and mailing documents, writing receipts, assisting her supervisor with the archiving retention plan, training new and volunteer staff, and backing up the reception desk.

Although Ms. Holt's position was reallocated downward, her salary remained the same in accordance with Article 41 of the Collective Bargaining Agreement between the State of Washington and the Washington Federation of State Employees.

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

Ms. Holt believes she is performing higher-level work and asserts her duties are best described by either the Forms and Records Analyst or Customer Service Specialist occupational categories. Ms. Holt contends that she processes a high volume of public disclosure requests coming into the records center in many different forms, including email, fax, telephone, and walk-in requests. Ms. Holt further contends that public disclosure has grown more sophisticated and complex over time and asserts she uses independent judgment and relies on her knowledge of public disclosure laws and regulations to assess each request. Ms. Holt states that she spends a majority of her time handling public disclosure requests and that the work she performs is less clerical in nature.

Additionally, Ms. Holt states that she takes the initiative to problem-solve and assist her supervisor and co-workers to ensure requests are completed and records are accurate. While Ms. Holt acknowledges that a site manager, typically an Environmental Planner or Specialist, is charged with oversight of the records center, she asserts she actually performs the work of fulfilling a public disclosure request, which she contends is more customer support than clerical.

#### **Summary of Department of Ecology's Reasoning**

Four regional records centers exist within the Department of Ecology (ECY). Based on the organizational structure, ECY asserts that one supervisor or lead position is assigned to each records center and the supervisory/lead position is typically supported by

positions in the Office Assistant 3 (OA3) classification. ECY contends Ms. Holt's supervisor acts as the lead and as a liaison to Headquarters, while Ms. Holt and her co-workers provide support to the center by performing duties best described in the OA3 classification. While ECY acknowledges that some of Ms. Holt's duties relating to public disclosure overlap with the duties described in the Forms Analyst 1 classification, the department asserts the majority of her public disclosure related duties are clerical in nature. ECY asserts all of the OA3s working in the center share the duties and responsibilities of processing public disclosure requests received via email, fax, and phone, and the department characterizes those requests as fairly static and routine.

ECY acknowledges that Ms. Holt uses independent judgment and problem-solving techniques when dealing with public disclosure issues but believes those characteristics also relate to the OA3 class and are applied when performing complex clerical tasks. ECY contends that complicated public disclosure matters are resolved at a higher level and asserts the project coordinator or site manager, typically an Environmental Specialist, has the ultimate responsibility for ensuring the contents of the records are accurate and complete.

### **Director's Determination**

This position review was based on the work performed for the six-month period prior to March 1, 2006.

As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review meeting, and the verbal comments provided by both parties. Based on a review and analysis of Ms. Holt's assigned duties and responsibilities, I conclude her position is properly allocated to the Office Assistant 3 classification.

### **Rationale for Determination**

In reviewing the Position Description Form (PDF) (exhibit H), the position's objective is to provide support to the records center by assisting in the management of the agency records management system. Ms. Holt's position also assists in fulfilling public disclosure requests by researching requests, preparing documents for review, and providing copies to other agencies and the public. The support Ms. Holt provides in managing agency records ensures the agency is in compliance with state records management statutes and that records are available and up-to-date when requested by staff and the public.

Because Ms. Holt's position is assigned to a central records unit within one of ECY's regional offices, the primary functions of her position relate to processing records and being familiar with the procedures and rules associated with those functions. Similarly, the category concept for the Clerical, Office Support and Secretarial Occupational Category notes that positions within this category provide a variety of clerical services in

support of a work unit. The category concept, which includes the OA3 classification, further states:

Services provided and duties performed include functions such as the creation, storage, retrieval, mailing, and posting of documents, data, and records . . . providing information to others about services available, [and] assisting customers with access to services . . .

. . .

Positions in this category operate office equipment such as computers . . . and copy machines. Positions may operate . . . data entry equipment . . . and scanners to input, retrieve, sort, and interpret data.

The distinguishing characteristics for the OA3 classification note that incumbents “independently perform a variety of complex clerical projects and assignments.” The distinguishing characteristics also identify examples of duties performed such as “responses to frequent requests for information, establishing manual or electronic recordkeeping/filing systems and/or data base files, and responding to inquires requiring substantive knowledge of office/departmental policies and procedures.”

Many of the functions assigned to Ms. Holt's position can be described as complex clerical duties. For example, Ms. Holt's assigned tasks and responsibilities, as listed in section B of the Essential Functions Analysis attachment to the PDF include:

- Maintaining data and document storage and retrieval activities;
- Organizing materials and having knowledge of computer databases;
- Assisting in the development of procedures to protect original and confidential documents;
- Retrieving, organizing, and summarizing records at the request of program staff;
- Scheduling appointments, searching databases, copying requested material and coordinating external copy jobs;
- Maintaining bar coding supplies.

Additionally, when analyzing the key work activities described in the PDF, the first paragraph denoting 30% of Ms. Holt's work time includes, “filing large quantities of letters, reports, notes and other documents” received from staff in her region, following state records management statutes and agency policy. Also, Ms. Holt creates files, enters information into the bar code system database, and downloads or uploads scanner transactions to the Internet database system. The tasks identified in this paragraph are commensurate with the category concept and distinguishing characteristics of the OA3 class.

Other clerical related tasks identified as 10% or less of Ms. Holt's assigned duties include the following:

- 10% Create and mail responses to public records requests that 1) inform the requester the record will be provided, 2) acknowledge receipt of the request, or 3) deny the request.
- 10% Provide backup to other records staff by coordinating large copy jobs with a printing vendor. Writing customer receipts, processing and inputting money receipt log and printing invoices.
- 5% Maintain inventory of supplies.
- 5% Assist the Forms and Records Analyst (Ms. Holt's supervisor) with archiving retention plan and developing methods for efficient and safe working environment. Training new and volunteer staff.
- 5% Backup reception on a rotating schedule.
- 5% Other duties as assigned.

While the task of assisting with the archiving retention plan could also be a duty assigned to a Forms and Records Analyst 1 position, the majority of the duties listed above fit the OA3 classification.

The remaining 30% of Ms. Holt's assigned work activities, as listed on the PDF, include working with public disclosure requests as follows:

Receives public disclosure records requests via telephone, email, fax and written requests. Explaining procedures and timeframes, meets deadlines and follows legal requirements of Public Disclosure RCW 42.17 when fulfilling public disclosure requests. Researches requests and schedules appointments for file review. Copies and mails requested public disclosure documents to requestor.

During the Director's review meeting, Ms. Holt stated that the duties described in the above section more accurately reflect 50% of her time. The agency disagrees and asserts 30% of her time is spent performing the above group of duties. In assessing those duties, there are specific tasks that are clerical in nature, such as scheduling appointments, copying, and mailing. Therefore, even when considering the above duties as 50% of Ms. Holt's key work activities, the clerical components, coupled with the other clerical related duties, constitute a majority of Ms. Holt's assigned duties.

Moreover, Ms. Holt's application of the rules to explain procedures and follow legal requirements when fulfilling public disclosure requests is also consistent with the distinguishing characteristic of the OA3 class, which "requires substantive knowledge of a variety of regulations, rules, policies, [and] procedures. . ." Comparable examples of work outlined in the OA3 class specification include:

- Resolves problems and responds to inquiries regarding rules, regulations, policies, department procedures, and department services; . . .
- Reviews documents, records, or applications for completeness, accuracy, and compliance with rules; determines and explains action necessary to achieve compliance or approval;
- Establishes and maintains complex electronic or manual file systems or data base files.

While a portion of the public disclosure related duties may overlap with the Forms and Records Analyst 1 classification, the category concept for the Forms and/or Records Management Occupational Category lists records management tasks that differ. For instance, in addition to responding to public disclosure requests, incumbents in this class will design, revise, and distribute forms; monitor form production; analyze form usage; develop retention schedules; and develop and implement public disclosure programs. The distinguishing characteristics for the position include providing assistance in all phases of forms control, records management and/or public records disclosure.

Further, Ms. Holt's assigned duties and responsibilities do not fit within the Customer Service occupational category because she does not provide assistance and problem resolution to clients/customers who are in a designated customer service program. Additionally, the customer service series is not clerical in nature, and "[c]lerical support duties are incidental to the total work assignment (less than 10%)."

In my analysis, I also reviewed the handwritten portion of a document Ms. Holt submitted to the Department of Personnel, dated October 5, 2005 (exhibit F). I did not consider the portions of the document that referenced an earlier time period or related to other employees. In October 2005, Ms. Holt's reallocation at the agency level had been rescinded pending the creation of a new PDF. However, it is undisputed that Ms. Holt had been working in the Central Records Unit since August 2005, and the duties assigned to position #2752 changed when the position was reassigned to the records center.

In her October 5, 2005 document, Ms. Holt describes her duties as primarily word processing type tasks, which include mail-merges for letters and envelopes, creating and updating databases, and the creation of new forms using current forms. Again, those tasks are consistent with the OA3 distinguishing characteristics that reference "specialized complex word processing tasks." Ms. Holt also references a discussion with Ms. Winters about using a database to track workflow and correct problems, and she writes that Ms. Winters agrees to let her "help make changes to procedures and methods." In the Director's review meeting, Ms. Holt similarly stated that she takes the initiative to resolve problems within the records center.

While it is clear Ms. Holt is a highly capable individual who takes the initiative to resolve problems and assist her supervisor and co-workers as issues arise in the records center, a position review is limited to the duties and responsibilities assigned to the incumbent's

position and how the majority of those duties best fit into the available job classifications. Therefore, the Office Assistant 3 classification best describes Ms. Holt's position #2752.

**Appeal Rights**

WAC 357-49-018 provides that either party may appeal the results of the Director's review to the Personnel Resources Board (board) by filing written exceptions to the Director's determination in accordance with Chapter 357-52 WAC.

WAC 357-52-015 states that an appeal must be received in writing at the office of the board within thirty (30) calendar days after service of the Director's determination. The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

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

Sincerely,

Teresa Parsons  
Director's Review Supervisor

c:     Cornelia (Dee Dee) Holt  
       Jan Bacon, ECY  
       Brenda Reagan, ECY

Enclosure: List of Exhibits