

May 9, 2007

Marcelo Garcia
WFSE Yakima Field Office
601-A W Lincoln Ave
Yakima, WA 98902-2610

RE: Duane Jankowski, Luke Carrick and Raymond Wright v. Department of Social and Health Services (DSHS)
Allocation Review No. 06AL0093

Dear Mr. Garcia:

The Director's review of DSHS's allocation determination of Duane Jankowski's, Luke Carrick's, and Raymond Wright's positions has been completed. The review was based on the written documentation and on information provided during the May 2, 2007, telephone conference held with you, Mr. Jankowski, Mr. Carrick, Mr. Wright and Bob Swanson, HR Representative for DSHS.

DSHS determined that Mr. Jankowski's, Mr. Carrick's and Mr. Wright's positions were properly allocated to the Maintenance Mechanic 1 classification. They feel that their positions should be allocated to the Maintenance Mechanic 2 classification.

Mr. Jankowski, Mr. Carrick, and Mr. Wright provide a valuable service to Yakima Valley School (YVS) in addition to other DSHS facilities. Based on the information provided during the telephone conference, it is clear that their skills, expertise and quality of work are recognized and appreciated by DSHS.

However, 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 the 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. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Background

On February 14, 2006, Mr. Jankowski, Mr. Carrick and Mr. Wright submitted position review request forms asking that their positions be reallocated to the Maintenance Mechanic (MM) 2 classification. (Exhibits A, D & G). By letters dated May 15, 2006, David Cahill, Human Resource Consultant, determined that the positions were properly allocated and denied the requests. (Exhibits B, E & H). By letters dated June 16, 2006, you requested a review of DSHS's decision on behalf of Mr. Jankowski, Mr. Carrick, and Mr. Wright. (Exhibits C, F & I).

Summary of Employees' Perspective

On behalf of Mr. Jankowski, Mr. Carrick and Mr. Wright, you argued that the employees are performing journey-level work at YVS and should be allocated to a classification that encompasses these duties. You asserted YVS is unique among DSHS institutions because of its size and because the school does not employ journey-level trades staff. You argued that the employees perform work in multiple trades such as plumbing, carpentry, electrical, and locksmith tasks which is the same work that is performed by journey-level trades staff at other DSHS institutions. As a result, you asserted that the employees should be reallocated to the MM2 classification.

Summary of DSHS's Reasoning

DSHS argued that there has been no shift in the employees' level of responsibility and that even though the language in their PDF's was modified, the duties and level of responsibility assigned to them has not changed. DSHS contends that the majority of the employees' work can be described as preventative maintenance, fixing and replacing broken parts, and repairing and altering fixtures which do not rise to the MM2 level. DSHS asserts that the type of work and the duties the employees perform are best encompassed by the MM1 class. DSHS also advised the employees that if their duties and responsibilities have changed since February 2006, they should submit updated PDF's and request reallocation on the basis of their current duties.

Director's Determination

As the Director's designee, I carefully reviewed all of the documentation in the file and the information you, the employees and DSHS provided during the telephone conference. Based on my review of the documents, the information provided during the telephone conference, the available classifications, and my analysis of Mr. Jankowski's, Mr. Carrick's and Mr. Wright's assigned duties and responsibilities, I conclude that their positions should be reallocated to the Maintenance Mechanic 2 classification.

Rationale for Determination

In summary, the employees' positions perform preventative and ongoing maintenance, repair, remodeling, and safety monitoring for all areas of YVS including, the cottages, the kitchen, school buildings, institution grounds and equipment. They also perform new construction such as building new concrete ramps and walkways, storage buildings, replacement windows and cabinets. They

perform work that includes carpentry, glass fitting, painting, plumbing, equipment repair and maintenance, troubleshooting problems with various types of systems and equipment, steam fitting, roofing, laying and repairing floors, welding and electrical work. The employees work independently but for some projects they may be assisted by a laborer or they may help each other. The employees report to a Plant Manager 2. The Plant Manager 2 reports directly to the Superintendent of YVS.

During the telephone conference, the employees indicated that they also perform work at other DSHS locations including SOLA houses and office buildings not located at YVS. The employees clarified that YVS uses contractors to complete capitol projects on the campus. When YVS capitol projects are being done, the employees work with the contractor's journey-level workers and perform the same tasks the contract workers are performing.

In the employees' Position Review Request forms, their supervisor indicated that their work is spot-checked only and that he relies on them to "use their best judgment on proper material and methods for the building modification and repair work as well as cabinetry and locks they do." (Exhibits A, D, & G). In addition, in response to questions raised during DSHS's review, the employees' supervisor indicated that the employees perform journey-level work in the "[a]lteration, repair and maintenance of buildings, facilities and equipment, carpentry, plumbing, steam fitting, mechanical or machinist work. They routinely fabricate special adaptive equipment (such as feeding program equipment) by welding, using drill presses, emery, hand power tools. They repair building fixtures, plumbing, heating lines, laundry and kitchen equipment, motor and electrical appliances." The employees' supervisor further indicated that unless YVS is required by law to have work done by a licensed contractor, the employees perform all of the trades and non-trades jobs on a daily basis. (Exhibit K).

The Trades Helper/General Maintenance Occupational Category Concept states, "[p]ositions 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." There is no dispute that the employees' positions fit within the concept for this occupational category.

The distinguishing characteristics for the Maintenance Mechanic 1 classification state, "[p]ositions 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."

The Glossary of classification terms found in the Department of Personnel Classification and Pay Administrative Guide defines routine work as work that "[i]nvolves the performance of several related and repetitive tasks, which require some judgment in respect to the rules, procedures, materials, or equipment that will be used."

Some of the duties assigned to the employees appear to fit within the MM1 description. However, many of the duties they perform are not repetitive in nature and require more than routine judgment such as fabricating and modifying special adaptive equipment and constructing windows, ramps and cabinets. For the duties they perform that are beyond routine maintenance, they do not work under the technical direction of a journey-level position; rather they perform the work independently and with little guidance from their supervisor. Furthermore, a review of the examples of work for this class supports the employees' assertion that they are working beyond the MM1 level. For example, they do not perform "[u]nder the technical direction of a journey-level trades worker, performs skilled work in carpentry, plumbing, steam fitting, electrical, mechanical and machinist work"; rather, they independently perform skilled work. The majority of repairs they perform are not minor in nature such as tearing out walls, replacing plumbing within the walls and then rebuilding the wall; remodeling bathrooms including tearing out, remodeling and re-plumbing fixtures and rebuilding cabinets; tearing out and replacing floors; tearing out, rebuilding and re-installing window frames; and troubleshooting and repairing the nurse call system and other security equipment. In addition, they do not "assist in the fabrication of equipment and materials;" rather they independently perform fabrication work.

The distinguishing characteristics for the Maintenance Mechanic 2 classification state, "[t]his 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, and hospital facilities, systems 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 employees work independently and utilize a broad, general knowledge of a variety of related skill fields in the alteration, repair, maintenance and construction of buildings, facilities and equipment at YVS.

In determining whether the employees' duties and level of responsibility rise to the level of journey work, consideration must be given to the Glossary of classification terms found in the Department of Personnel Classification and Pay Administrative Guide. The Glossary defines journey-level as "[f]ully competent and qualified in all aspects of a body of work and given broad/general guidance, can complete work assignments to standard under minimal supervision. Also referred to as the *working* or *fully qualified* occupational level." The employees are fully competent and qualified in all aspects of their work. Their assignments require them to employ a variety of skilled work in the maintenance, repair, remodeling and construction of buildings, grounds and equipment and the construction, repair and reconstruction of adaptive equipment, furniture and facilities at YVS. The employees' duties and level of responsibility met the definition of journey-level work.

Mr. Jankowski's, Mr. Carrick's and Mr. Wright's positions should be reallocated to the Maintenance Mechanic 2 classification.

Appeal Rights

WAC 357-49-018 provides that either party may appeal the results of the Director's review to the Personnel Resources Board by filing written exceptions to the Directors' 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 Directors' 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,

Holly Platz
Director's Review Investigator

cc: Bob Swanson, DSHS
Duane Jankowski
Luke Carrick
Ray Wright
Lisa Skriletz, DOP

List of Exhibits for Jankowski, et. al. 06AL0093

- A. Mr. Jankowski's position review request form signed February 14, 2006, with attachment
- B. May 15, 2006 letter from David Cahill to Mr. Jankowski denying his request for reallocation
- C. Letter of appeal on behalf of Mr. Jankowski from Marcelo Garcia, Jr., received June 16, 2006
- D. Mr. Carrick's position review request form signed February 14, 2006, with attachment
- E. May 15, 2006 letter from David Cahill to Mr. Carrick denying his request for reallocation
- F. Letter of appeal on behalf of Mr. Carrick from Marcelo Garcia, Jr., received June 16, 2006
- G. Mr. Wright's position review request form signed February 14, 2006, with attachment
- H. May 15, 2006 letter from David Cahill to Mr. Wright denying his request for reallocation
- I. Letter of appeal on behalf of Mr. Wright from Marcelo Garcia, Jr., received June 16, 2006
- J. February 3, 2006 revision of a partial Organization Chart showing employees' work unit
- K. Email/letter to Dave Cahill from Ina Schaap and Michael Reneau dated March 29, 2006
- L. Position Description forms for Mr. Jankowski, Mr. Carrick and Mr. Wright received by Yakima Valley School HR on March 15, 2006
- M. Trades Helper/General Maintenance Occupational Category including the classification specifications Maintenance Mechanic 1 (626J) and Maintenance Mechanic 2 (626K)