



**STATE OF WASHINGTON  
OFFICE OF FINANCIAL MANAGEMENT**

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM  
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February 25, 2015

TO: Connie Goff, PHR  
Rules and Appeals Program Manager

FROM: Meredith Huff, SPHR  
Director's Review Program Investigator

SUBJECT: Anita McElfish vs WA State Department of Transportation (WSDOT)  
Allocation Review Request ALLO-14-106

**Director's Determination**

This position review was based on the work performed for the six-month period prior to November 1, 2013, the date of Ms. McElfish's updated Classified Position Description. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits and written comments, and information gathered during a phone interview with the parties. Based on my review and analysis of Ms. McElfish's assigned duties and responsibilities, I conclude her position is properly allocated to the class of Procurement & Supply Specialist 2.

**Background**

Ms. Anita McElfish submitted her updated Classified Position Description (CPD), dated November 1, 2013, for a position review to the Eastern Region Human Resources Office of WSDOT. (Exhibit B-2)

On January 7, 2014, Mr. Ed McCallister, Human Resources Consultant for Eastern Region WSDOT, notified Ms. McElfish that her position was appropriately classified as Procurement & Supply Specialist 2. (Exhibit B-1)

On January 31, 2014, the State Human Resources Director's Review Program received Ms. McElfish's request for a Director's review of WSDOT's classification determination. Ms. McElfish indicated she thought the Procurement and Supply Specialist 4 (PSS4) class is more appropriate for her job duties. (Exhibit A-1)

On February 10, 2015, I conducted a Director's review telephone conference. Participating in the call were:

Anita McElfish, employee, Eastern Region, WSDOT  
Rick Nesbitt, representative, WFSE  
Joan Ahl, representative, WFSE  
Dave Thomas, retiree, previously with WSDOT Eastern Region  
Ed McCallister, Human Resource, Eastern Region, WSDOT;

Jennifer Wagner, Classification & Compensation Specialist, WSDOT;  
Bobbi Collins-Whitehead, Acting Assistant for Human Resources, WSDOT;  
Rick Naten, Procurement Supervisor, WSDOT; and  
Jeff Potesky, Financial Services Manager, WSDOT.

### **Guidance 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. 3712-A2 (1994).

The Personnel Resources Board (PRB) has held the following: Because a current and accurate description of a position's duties and responsibilities is documented in an approved classification questionnaire, the classification questionnaire becomes the basis for allocation of a position. An allocation determination must be based on the overall duties and responsibilities. Lawrence v. Dept. of Social and Health Services, PAB No. ALLO-99-0027 (2000).

The Board has addressed comparison of an appellant's position to other positions and has indicated it is not a factor used in a determination as follows: "Appellant questions the allocation of Community Partnership Program Coordinators located at other DOC institutions. However, in Byrnes v. Dept's of Personnel and Corrections, PRB No. R-ALLO-06-005 (2006), the Board held that "[w]hile a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a position." Citing to Flahaut v. Dept's of Personnel and Labor and Industries, PAB Case No. ALLO 96-0009 (1996). Therefore, the allocation or misallocation of positions at other DOC institutions is not a determining factor in the appropriate allocation of Appellant's position."

### **Classified Position Description Form (CPD) (Exhibit A-2)**

Ms. McElfish completed and signed a Classified Position Description on November 1, 2013. Supervisor and appointing authority signatures are not on this form. Ms. McElfish's duties and responsibilities are described on the CPD as follows:

#### **Position Objective:**

This position manages all the Purchasing activities for the Eastern Region. Supervision of one professional level Procurement & Supply Specialist 1 and one Warehouse Operator 2. This position operates 560,000.00 in Capital Assets and responsible for 4,000,000.00 in consumable inventory. Manages Eastern Regions inventory levels. Manages Eastern Regions Minor Cap Items.

#### **Key Work Activities:**

**80%** Eastern Region Expert on the Procurement process.

- This position works under the direction of the Eastern Region WMS Band 1. Supervises and Responsible for one Procurement & Supply Specialist 1 and one Warehouse Operator 2

in the receipt of requests for supplies, purchasing materials, receiving, inspection, stocking, issuing and payment of all stock.

- Supervises the payment of the credit card system. (PCMS) Purchasing Card Management System. Signs all documents that are scanned into the PCMS credit card system for Eastern Region Stores.
  - Manages and supervises the training of the Lean and Green Sustainability process as requested by the Secretary of State Lynn Peterson.
  - Assigns work schedules, acts upon leave requests, and provides training and support on all procurement procedures and policies to the Eastern Region Stores staff.
  - Supervises the Purchasing activities of the Eastern Region procurement, placement, receipt, storage, inventory, issue, payment and transfer of supplies, equipment, services, and asset management. Interpret and carry out Department, Region, and Statewide purchasing policies and guidelines.
  - Manages the analyzing and interpreting of complex purchasing data contained in inventory turnover and order points, critical stock and minor cap items.
  - Manages and solely responsible for originating and finalizing the competitive solicitation documents that come through the Eastern Region Stores for long term and/or one time purchases. Manages the appropriate course of action/procurement methodology including competitive bids, requests for proposals, and/or direct negotiations. Manages and originates all bid contracts for aggregate, asphalt and sand. Have already placed \$1,675,745.00 in bids this past 7 months.
  - Oversees and assists all of Eastern Region in the (WEBS) Washington Electronic Business Solution bid process as necessary. Analyzes and evaluates returned bids or proposals and rejected bids that do not meet bid specifications. Responsible for assisting vendors in getting registered in WEBS.
  - Work with and assist vendors in obtaining their Self-Certification as a Small Business.
  - Manages all of the Eastern Regions 373 minor cap items with a total value of \$624,523.00.
  - Monitors and or implements the process that secures the request items; application and specification, proper methods of procurement, specific and general authorities, state contracts, requisition to Office of State Procurement, OSP.
  - Confers with managers to identify anticipated supply requirements and appropriate specifications based on agency purchasing policy, budget constraints, long term needs and user expectations. Purchases an average of \$2,000,000.00 per year with a signature authority of \$10,000.00.
  - Manages Eastern Regions with an average of \$14,000,000.00 on line inventory and \$25,000.00 non-automated inventory. Interprets, advises, prepare, and develops various contracts for managers/supervisors.
  - This position has authority to make independent decisions and exercises signature authority and authorizes purchases for field orders and payment vouchers.
- 15%** Manages the process of defining and reviewing stock levels, order points, turnover rates, and specifications. Performs market analysis and customer needs assessment studies to identify new contracting possibilities. Eastern Region came in second place for having the highest Turn Rate in the State. Supplies under management in the Eastern Region is 83%.
- As a representative of Eastern Region, I work independently with business, political, and agency management to accomplish our mission. Responds to purchasing inquiries from both DOT and non-DOT entities/individuals. Identify potential problems and propose

solutions and/or alternatives. Interview vendors and prospective vendors; compose correspondence to vendors, or Departmental units relating to purchases, claims for payment, complaints or related matters. Performs market analysis and customer needs assessment studies to identify new contracting possibilities.

- Responsible for and Manages the regional Consumable Inventory and Minor Capital Inventory process annually. Responsible for monitoring additions, deletions, and transfers of assets in the Minor Capital Inventory system. Responsible for the surplus property program for the Eastern Region, including receiving, processing, and disposing of excess state property according to the (DES) Department of Enterprise Services guidelines. Perform internal audits and check field records for compliance to provide assurance that procedures are followed and discrepancies corrected/addressed in an appropriate manner. Serves on Interview Panel for hiring of new employees.

**5%** Performs duties of Procurement and Supply Specialist 3. Perform other duties as required.

**Essential Job Functions:**

- The expert on Purchasing. Perform internal audits and field spot checks to ensure compliance with WSDOT policies and procedures.
- Effectively identifies potential tasks, activities, and timelines necessary to achieve a stated purpose.
- Accepts personal responsibility for quality and timeliness of work.
- Be able to analyze complex data and ensure timeliness and accuracy of documents processed.
- Keep Management informed orally or in writing as appropriate and distribute information to Management for review.
- Anticipate process changes, investigate alternatives, making recommendations to the WMS Band 1. The ability to communicate and analyze complex purchasing issues to a variety of groups and individuals both verbally and in writing.
- The ability to analyze purchasing data, identify discrepancies, research financial transactions, and develop corrective action as necessary. The ability to prepare and produce documentation to support analysis and research work, and explain corrective actions.
- The ability to develop and produce reports, spreadsheets, work papers, instructions, procedures, memoranda, etc. using appropriate computer software.
- The ability to establish daily priorities for work to be completed by direct reports and to perform those duties in their absence.
- The ability to balance and manage multiple priorities and activities under tight deadlines.
- The ability to train, supervise, motivate, and create a positive work environment for professional staff.

**Summary of Ms. McElfish's Perspective**

On the Request for Director's Review form, Ms. McElfish indicated that she believes the Procurement and Supply Specialist 4 better describes her duties. She describes the duties and responsibilities that she performs and that she believes are outside of her PSS2 as: "... responsible for originating and finalizing competitive solicitation documents for long term agreements. I have been standing in for, and doing the duties of a Procurement and Supply Specialist 4 for one year this February 5<sup>th</sup> without upper management or supervisor guidance. I am the only Procurement Specialist for the Eastern Region with the exception of the Procurement Specialist 1 (temp)." (Exhibit A-1)

During the review conference, Ms. McElfish described the process for procuring products and services. The steps include determining the requestor's needs and expectations, writing the bids, soliciting bids which includes looking for minority, veteran and other bidders, and finding and selecting a vendor. Ms. McElfish stated that she makes recommendations to the end users and provides bid information. She noted that in selecting the contractor, usually the lowest bid is selected; however, she also reviews previous history, timeliness and product quality of the bidder. She estimated that there are fifty to seventy-five vendors who are used for the Eastern Region. Ms. McElfish indicated that when Mr. Dave Thomas retired in 2013, most of his duties were added to her position. She stated that she rarely has contact in person or other methods with her supervisor, Mr. Jeff Potesky.

In support of Ms. McElfish, during the conference call, Mr. Dave Thomas commented that some contracts are issued for multiple years. For example, contracts for sand can be for four to five years, sign posts for one or two years and asphalt for one year.

### **Summary of Supervisor's Perspective (Exhibit B-9)**

Mr. Jeff Potesky, Financial Services Manager, supervisor to Ms. McElfish's position, provided a letter signed and dated November 5, 2013. He indicated that he was not in agreement with Ms. McElfish's description of her job duties. In the letter Mr. Potesky states:

- Anita does not supervise the Procurement & Supply Specialist 1 or Warehouse Operator position. She is not authorized to sign leave slips or conduct performance evaluations.
- Anita does not supervise the payment of the credit card system (PCMS). She has not been delegated the authority to approve any payments in the PCMS system.
- Anita has not been delegated to manage and supervise the training of the Lean and Green Sustainability process. Anita has not had training in the Lean process.
- Anita has not been delegated to manage and solely be responsible for originating and finalizing the competitive solicitation documents that come through Eastern Region Stores.
- Anita has not been delegated to reject bids that do not meet bid specifications.
- Anita does not perform market analysis and customer needs assessment studies to identify new contracting possibilities.
- Anita does not perform internal audits or check field records for compliance to provide assurance that procedures are followed and discrepancies corrected/addressed in an appropriate manner.
- Anita was directed to assist in the physical count of the Eastern Region Maintenance Area's consumable stockpile inventory.

Mr. Potesky agrees that, "As a Procurement & Supply Specialist 2 with Lead duties, Anita is properly classified." He indicated the following are Ms. McElfish's assigned responsibilities:

- Determines available sources of supply and conducts research for new sources of supply.
- Analyzes bids for compliance with bid specifications with complex variables.
- Negotiates services, base agreements and contracts as directed.
- Determines optimum stock levels, maximum authorizations and reorder points.
- Assists in coordination or is responsible for maintenance for equipment registers and master inventory records.
- Supports the Supply Office by performing duties connected with procurement, receipt, storage, inventory, issue, payment and transfer of supplies, equipment, and services.
- Interprets and implements purchasing policies and procedures."

During the conference call, Mr. Potesky explained that when Mr. Dave Thomas retired, upper management delegated to Mr. Potesky's position, the approval of contract payments and supervisory responsibilities for the Eastern Region's PSS2, PSS1, and Warehouse Operator positions. Mr. Potesky stated that he completes performance evaluations, approves leave requests and would handle any disciplinary actions for the Eastern Region Stores Office staff. He indicated that he has direct daily contact with Ms. McElfish and/or he daily reviews and approves the transactions she has entered in the PCMS credit card system. Mr. Potesky confirmed that Ms. McElfish was assigned lead responsibilities for the Procurement & Supply Specialist 1 and Warehouse Operator positions at the Eastern Region Stores Office.

#### **Comments from Mr. Rick Naten – Procurement Supervisor, WSDOT**

Mr. Rick Naten, Procurement Supervisor for WSDOT, described contracts for asphalt and sand as routine contracts and noted those contracts are issued on a regular basis.

Mr. Naten discussed an example of a complicated debris removal solicitation in July, 2013, when he trained and mentored Ms. McElfish through the unusual process. For this solicitation, parties involved included FEMA, the Colville Tribes and state Department of Natural Resources (DNR). He indicated that Ms. McElfish was Eastern Region's point person to obtain information from the Colville Tribes and DNR. Mr. Naten observed this was a rather unique contract situation.

#### **WSDOT Human Resource Perspective**

By letter dated January 7, 2014, Mr. Ed McCallister, Eastern Region WSDOT Human Resources, advised Ms. McElfish that he completed a review of her position's classification. He noted that Ms. McElfish is responsible for tracking and monitoring inventory, she uses a data base to disseminate reports, and uses the PSMS system data to generate payment for goods and services. He determined that Ms. McElfish's position was appropriately allocated at the Procurement Supply Specialist 2 classification. (Exhibit B-1)

During the phone conference, Mr. McCallister indicated that the unsigned organization chart is not an official WSDOT organization chart. He further clarified that he did not make the handwritten changes to the chart. (Exhibit A-12) Mr. McCallister confirmed that after his extensive review of Ms. McElfish's assigned responsibilities and level of authority, he determined that the PSS2 represents Ms. McElfish's position.

#### **Comparison of Duties to 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. 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.

#### **Comparison of Duties to Procurement and Supply Specialist Series**

##### **PROCUREMENT AND SUPPLY SPECIALIST 4 (114H)**

###### **Definition**

Supervises procurement and supply specialists; or, performs statewide procurement management of annual agreements and daily purchases for client agencies, colleges and universities, political subdivisions and non-profit corporations.

### **Distinguishing Characteristics**

- Designated supervisor for staff of procurement and supply specialists; or,
- Designated purchasing expert of an agency, institution, facility, college or university working under administrative direction. This level works independently with business executives, legislative staff and agency or institution executive management. Exercises independent signing authority.
- Position has authority to modify and adapt purchasing procedures and/or processes to accommodate specialized or unusual acquisitions; prepares and develops original contract terms, develops analytical tools and procedures to assess and ensure vendor contract compliance. Coordinates purchasing activities with clients to develop specifications used in procurement of commodity; resolves vendor performance problems.

For allocation to the Procurement and Supply Specialist 4 classification, the position must meet the requirements of the Definition and the Distinguishing Characteristics.

Ms. McElfish's position does not meet these expectations as she has not been assigned supervisory duties of Procurement and Supply Specialists. Ms. McElfish's responsibilities for contracts and purchases are specific to the WSDOT's Eastern Region office rather than statewide procurement management. Further, Ms. McElfish has not been delegated independent signing authority for purchases.

Overall, Ms. McElfish's position has not been assigned the supervisory responsibilities, independent authority and scope of responsibility anticipated by the Definition and Distinguishing Characteristics requirements of this class. The Procurement and Supply Specialist 4 is not the appropriate classification for allocation of Ms. McElfish's position.

### **PROCUREMENT AND SUPPLY SPECIALIST 3 (114G)**

#### **Definition**

Responsible and accountable for the 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. Responsible and accountable for supply management functions, including receipt, storage, issue, and transfer of materials and property.

#### **Distinguishing Characteristics**

These positions have delegated authority to take independent action and to conduct highly complex purchasing projects involving unique services and/or technical commodities purchasing.

- Activities include developing specifications for large, complex or unusual procurement projects such as major relocation projects, computer systems, and communication systems for which specifications involving unique or customized material requirements, feature, or performance standards must be defined.
- This level is expected to make sourcing decisions based on extensive knowledge of procurement and supply practices.  
These positions have authority to modify and adapt purchasing and supply management procedures and/or processes to accommodate specialized or unusual acquisitions.

- Positions prepare and develop original contract terms, evaluation criteria, analytical tools and procedures to assess and ensure vendor contract performance and compliance.
- Coordinates purchasing activities with clients to develop specifications and to resolve vendor performance problems.

Ms. McElfish's supervisor, Mr. Jeff Potesky, indicated that he checks in with Ms. McElfish daily and/or daily reviews and signs orders in the PCBM system. Ms. McElfish's position has not been delegated authority to take independent action and to conduct highly complex purchasing projects involving unique services and/or technical commodities purchasing as required by this class. Rather, Ms. McElfish has limited decision making independence and authority; her responsibilities are specific to procurement of services and supplies and other goods for the Eastern Region office of WSDOT.

Ms. McElfish's area of purchase responsibility, decision authority, and lead responsibilities do not reach the levels of complexity, independent decision making and area of control anticipated by the Definition and Distinguishing Characteristics of this class. The Procurement and Supply Specialist 3 is not the best fit for Ms. McElfish's position.

### **PROCUREMENT AND SUPPLY SPECIALIST 2 (114F)**

#### **Definition**

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.

#### **Distinguishing Characteristics**

- 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.

Ms. McElfish's assigned duties closely match responsibilities described by the Procurement and Supply Specialist 2. She oversees the purchasing activities of the Eastern Region Office procurement, placement, receipt, storage, inventory issue, payment and transfer of supplies, equipment, services, and assets. She plans, coordinates and develops bids for supplies and services. She plays an integral role in ensuring quality service for purchasing responsibilities in the Eastern Region Office. She develops the bid contracts for aggregate, asphalt and sand needs. She carries out on-line and physical inventories. She works with managers to identify anticipated supply needs and requirements. She provides lead support to one PSS1 and one Warehouse Operator 2 employees. Ms. McElfish's responsibilities are at the level of independence and responsibility encompassed in the Procurement and Supply Specialist 2 class.

It is evident that Ms. McElfish's position plays an integral role in ensuring quality service for Eastern Washington. She has submitted certificates indicating Eastern Region's achievements in several areas. However, a position's allocation is not based on an evaluation of performance but rather the majority of work assigned to a position. Therefore, for the time period relevant to this review, Ms. McElfish's level of decision making authority and her overall duties and

responsibilities best align with the Procurement and Supply Specialist 2 classification. Ms. McElfish's position is appropriately allocated to the class of Procurement and Supply Specialist 2 (114F).

**Appeal Rights**

RCW 41.06.170 governs the right to appeal. RCW 41.06.10(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 on the 3<sup>rd</sup> 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: Anita McElfish  
Rick Nesbitt, WFSE  
Ed McCallister, Human Resource Consultant, WSDOT

Enclosure: List of Exhibits

A. Anita McElfish Exhibits

1. Request for Director's Review
2. Ms. McElfish Classified Position Description
3. Ed McAllister's Determination Letter
4. Procurement and supply Specialist 4 Class Specification
5. Procurement and Supply Specialist 3 Class Specification
6. Procurement and Supply Specialist 2 Class Specification
7. Rebuttal to WS DOT's Exhibit B
8. WEBS Manage Contacts
9. WEBS Administrator for Eastern Region
10. WEBS Solicitations by McElfish
11. NIGP Membership
12. Regional Financial Services Organization Chart
13. Procurement and Supply Specialist 4 Job Bulletin 02/18/14
14. Letter of Recommendation
15. Awards

B. DOT Exhibits

1. Determination letter for Anita McElfish allocation review
2. Position Description dated November 11, 2013
3. Supplemental information provided by Ms. McElfish
4. Procurement and Supply Specialist 4 Classification Specification
5. Desk audit notes
6. Glossary of Classification Terms
7. Procurement and Supply Specialist 3 Classification Specification
8. Procurement and Supply Specialist 2 Classification Specification
9. Easter Region Financial Services Manager response to November 2012 position description
10. Interview notes with Purchasing Manager David Davis

C. Class Specifications

1. Procurement and Supply Specialist 2 Classification Specification
2. Procurement and Supply Specialist 3 Classification Specification
3. Procurement and Supply Specialist 4 Classification Specification