



STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
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May 7, 2015

TO: Connie Goff, PHR
Director's Review Program Manager

FROM: Lucy Macneil
Director's Review Program Investigator

SUBJECT: Ron Carver v Department of Enterprise Services (DES)
Allocation Review No. ALLO-14-045

Director's Determination

This position review was based on the work performed for the six-month period prior to October 28, 2013, the date DES Human Resources received Ron Carver's request for a position review. As the Director's designee, I carefully considered all of the documentation in the file, including 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. Carver's assigned duties and responsibilities, I conclude his position is properly allocated to the Maintenance Specialist 3 classification.

Background

On October 28, 2013, DES HR received Mr. Carver's Position Review Request (PRR) form, requesting that his Maintenance Specialist 3 (MS 3) position be reallocated to the Maintenance Specialist 4 class (MS 4) (Exhibit B-2).

DES HR conducted a position review and notified Mr. Carver on April 7, 2014 that his position was properly allocated to the MS 3 class (Exhibit B-1).

On June 6, 2014, Mr. Carver filed a request for review with State HR.

On April 7, 2015, I conducted a review conference with the parties. Present for the conference were Ron Carver; Stacy Leone, WFSE Representative; and Lloyd Hoage, Senior HR Consultant, DES HR.

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

Mr. Carver and Jason Hasselgren are the two employees in the Sign Shop, which is part of the Maintenance Operations Division at DES.

Mr. Carver's duties are described in detail in the PRR submitted for reallocation (Exhibit B-2). He summarizes his position as follows:

This is the most experienced and knowledgeable (journey level) worker in the consultation, design, fabrication, installation, repair, maintenance, and alteration of signage statewide; interprets and consults in the application of the ADA with regard to sign design and placements; evaluates project requests and responds to customer inquiries and complaints; determines scope of work, materials needed, cost, and availability; generates reports and provides account management to senior managers throughout the state; provides leadership, training, and evaluates the work of junior staff.

His major job duties are described in the PRR as follows:

45% **Duty:** Manage and consult on customer account signage, lead projects; schedule and conduct all phases of project activities.

Tasks

Provide sign design and placement consultation and recommendation to customers/senior management. Plan, design, estimate, budget, schedule, install ADA, exterior, and custom signs for agencies statewide. Ensure all federal ADA guidelines, state, local, and agency policies and procedures, including reimbursable and preventative maintenance process are scheduled and completed. Represent the sign shop in meetings with customers and senior managers every day. Keep sign pricing guide current.

35% **Duty:** Supervise

Tasks

Select, prioritize, schedule and assign work to sign shop staff. Check, inspect, evaluate and coach sign shop staff. Set expectations with sign shop staff as well as management and customers. Provide leadership and consultation to other skilled level trades on complex, multi-shop projects. Generate reports on labor and materials.

15% **Duty:** Maintain shop inventory and manage equipment maintenance

Tasks

Track materials ordered and received. Record project activity and maintain inventory. Trouble shoot/repair problems; maintain all shop equipment/sign software. Engage vendors for equipment maintenance as needed; meet with vendors on product, consumables, and equipment issues and opportunities. Maintain vehicle. Research and recommend new sign shop equipment. Daily budget authority \$5,000.00. Track materials ordered and received; records. Trouble shoot/repair problems; maintain all shop equipment/sign software. Engage vendors for equipment maintenance as needed; meet with vendors on product, consumables, and equipment issues and opportunities. Handle vehicle maintenance. Research and recommend new sign shop equipment.

5% **Duty:** Other duties as assigned

Supervisor's Comments

Mr. Carver reports to Patrick Guffey, Maintenance Mechanic 4, who in turn reports to Dan Dickenson, Maintenance Supervisor 3, who heads up the Maintenance Operations Unit at DES.

According to an email exchange between Mr. Guffey and Mr. Hoage, Mr. Guffey stated that Mr. Carver has lead worker responsibility only. (Exhibit B-5).

Summary of Employee's Perspective

In his Position Review Request (Exhibit B-2), Mr. Carver asserts that he is the top statewide expert on building and environmental signage for state agencies, commissions and boards, including consultation and end-to-end production of ADA compliant signage. He is responsible for material and equipment management, project management, budgeting, purchasing, and day-to-day administration of the Sign Shop. He serves as the customer accounts manager for all shop activities and engages with customer senior management in all branches of state government.

In the review conference, Mr. Carver indicated that his duties changed in 2012, when the Sign Shop was placed in a larger organizational unit, and the shop supervisor position was eliminated. He indicated that he rarely makes signs any more, as 45% of his time is spent managing and consulting on customer account signage; leading projects; scheduling and conducting all phases of project activities, rather than making signs.

During the review conference, Mr. Carver asked that a memo he wrote on June 5, 2014 be considered during the Director's Review. With the approval of Mr. Hoage, the memo was entered into the record as Exhibit A-7.

In his memorandum (Exhibit A-7), Mr. Carver acknowledges that he does not meet the State HR Glossary definition of supervisor in relation to the Maintenance Specialist 2 in his department.

However, Mr. Carver believes that his work consulting with client agencies on projects, cost parameters, compliance with state standards, and overseeing the projects from start to finish is best described by the Maintenance Specialist 4 classification because this work is equivalent to the work of someone who supervises field operations either statewide or for a specified program, as described in the definition of Maintenance Specialist 4.

For these reasons, Mr. Carver asserts his position should be reallocated to the Maintenance Specialist 4 class.

Summary of DES HR's Perspective

Mr. Hoage noted that the organization chart for Maintenance Operations Unit (Exhibit B-7) showed that Mr. Guffey is the only supervisor in the Environmental, Sign and Paint Shop. He also noted that the PDF and PDP for the Maintenance Specialist 2 in the Paint Shop show Mr. Guffey to be the supervisor of Mr. Hasselgren, the only other member of the Paint Shop.

Because the Maintenance Specialist 4 classification is defined as the supervisory level of the class series and Mr. Carver's duties do not meet the definition of supervisor, Mr. Hoage asserts that Mr. Carver's position is correctly allocated to the Maintenance Specialist 3 class.

Comparison of Duties

When comparing the assignment of work and level of responsibility to the available class specifications, the Class Series Concept (if one exists) followed by the Definition and Distinguishing Characteristics if they exist) 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 that class.

Classifications Reviewed

Comparison of Duties to Maintenance Specialist 4 (MS 4)

The Definition of the Maintenance Specialist 4 states:

This is the supervisory level of the series. Supervises a variety of journey-level trades workers or general maintenance mechanics performing work on physical plant, campus buildings, grounds, or equipment; or manages the Department of Transportation Central Sign Shop and supervises the fabrication and distribution of all types of transportation signing throughout the state. Some positions supervise field operations on construction and maintenance projects either statewide or for a specified program. Develop, implement, and monitor training. Implements and evaluates workflow priorities. Develops and disseminates instructions and information to unit personnel. Organizes, conducts and facilitates staff meetings.

The State HR *Glossary of Classification Terms* defines "Supervisor" as follows:

Supervisor. An employee who is assigned responsibility by management to participate in all of the following functions with respect to their subordinate employees: selecting staff; training and development; planning and assignment of work; evaluating performance; resolving grievances; taking corrective action. Participation in these functions is not routine and requires the exercise of individual judgment.

The primary function of the Maintenance Specialist 4 classification is to supervise. Mr. Carver does not perform the duties required of a supervisor. While he regularly assigns, instructs, and checks the work of his co-worker, he does not select staff, evaluate employee performance, resolve grievances, or take corrective action.

The Personnel Resources Board (PRB) has provided further guidance on the definition of supervision. The PRB determined that “[s]upervision of an organization typically includes setting organizational goals, developing plans to meet goals and objectives, developing policies and procedures, preparing budgets, adjusting and authorizing expenditures, controlling the allocation of program resources, and the supervision of staff.” Dawson v. South Puget Sound Community College, PRB Case No. R-ALLO-08-001 (2008).

In Dawson, the Appellant argued that he performed supervisory responsibilities for contract, part-time and work-study staff. However, the PRB determined his position provided “on-the-job work instruction” but did not “perform training and development at a level expected of a supervisor.” While the PRB concluded the Appellant had oversight of the daily work, provided feedback, and responded to service complaints related to the service provided, he did not conduct formal performance evaluations or adjust formal grievances. As a result, the PRB determined the Appellant’s position was properly allocated to a lead classification.

Mr. Carver does not manage the DES Central Sign Shop and supervise the fabrication of all types of transportation signing throughout the state. While he is the statewide expert on ADA signage requirements, and he works with senior management statewide, he does not supervise field operations on construction and maintenance projects. He is the lead for the DES Sign Shop and he installs ADA, exterior, and custom signs for agencies statewide. He does train Sign Shop staff, and implement and evaluate workflow priorities and develop and disseminates instructions and information to unit personnel.

Mr. Carver’s duties and responsibilities do not meet the definition of Maintenance Specialist 4.

Comparison of Duties to Maintenance Specialist 3 (MS 3)

The Definition of the Maintenance Specialist 3 states:

This is the senior, specialist, or leadworker level of the series. Serves as district or area sign installer reporting to the District Traffic Engineer, Operations-Maintenance Superintendent or designee and assembles, erects, maintains and makes minor repairs to highway signs, sign supports, pavement markings and traffic control devices in field or shop. Some positions leads *[sic]* a crew of sign fabricator in a central sign shop and fabricates and repairs signs. Regularly

assigns, instructs and checks the work of others. May supervise and train lower technicians.

The State HR *Glossary of Classification Terms* defines "Lead" as follows:

Lead. An employee who performs the same or similar duties as other employees in his/her work group and has the designated responsibility to regularly assign, instruct, and check the work of those employees on an ongoing basis.

The focus and scope of Mr. Carver's position fully meets the requirements of the definition of the Maintenance Specialist 3 classification. He is specialist for the DES Paint Shop; he leads the other sign fabricator and fabricates and repairs signs. He regularly assigns, instructs and checks the work of the other sign fabricator.

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).

With the organizational restructure in 2012, Mr. Carver's duties changed. He no longer spends the majority of his time making and installing signs. He took on the responsibility for day-to-day operations of the Sign Shop, which increased the amount of time spent managing and consulting with customers, leading projects, and scheduling and conducting all phases of project activities. However, these were not new duties: the Position Description Form used to reallocate Mr. Carver's position from Maintenance Specialist 2 to Maintenance Specialist 3 in 2006 (Exhibit B-4) specifically states that the position independently determines customer requests or project scopes, schedules work, determines material and submits material orders, tracks time and project costs and insures proper quality meeting customer needs or other standards.

In total, the Maintenance Specialist 3 class best describes the duties assigned to Mr. Carver's position. His position is properly allocated to the Maintenance Specialist 3 class.

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.

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

c: Ron Carver
Stacy Leone, WFSE
Lloyd Hoage, DES HR

Enclosure: Exhibits List

List of Exhibits

A. Ron Carver Exhibits

1. Director's Review Form received June 6, 2014 (2 pages)
2. Email thread between Mr. Carver and Mr. Hoage (2 pages)
3. Record of phone conversation with Anita Bingham (1 page)
4. Material Orders for sign shop and sign projects (132 pages)
5. Work Orders for sign projects (31 pages)
6. Record of conversation with Pat Guffey (1 page)
7. Email by Ron Carver dated 6/5/14 (1 page) Note: This exhibit was added during the review conference on April 7, 2015.

B. Department of Enterprise Services Exhibits

1. Allocation determination letter dated April 7, 2014 (3 pages)
2. Position Review Request Form received by DES on October 8, 2013 (4 pages)
3. Blank copy of Supervisor Portion of a Position Review Request with handwritten notes by Lloyd Hoage (2 pages)
4. Position Description Form for Ron Carver received September 5, 2006 (5 pages)
5. Email thread between Mr. Hoage and Mr. Guffey dated April 2, 2014 (3 pages)
6. Email thread between Mr. Hoage and Mr. Guffey dated January 28, 2004 (1 page)
7. Organization chart for Environmental, Sign & Paint Shop dated 5/2014 (1 page)
8. State of Washington Class Specification – Maintenance Specialist 2 (1 page)
9. State of Washington Class Specification – Maintenance Specialist 3 (1 page)
10. State of Washington Class Specification – Maintenance Specialist 4 (2 pages)

C. Class Specifications

1. Maintenance Specialist 3
2. Maintenance Specialist 4