



**STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT**

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
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November 4, 2015

TO: Kristie Wilson
Acting Rules and Appeals Manager

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

SUBJECT: Jeffrey Baker v. Washington Military Department (Military)
Allocation Review Request ALLO-14-085

DIRECTOR'S DETERMINATION

On August 24, 2014, Mr. Baker requested a Director's review of Military's allocation determination. I carefully reviewed and considered the documentation provided and the class specifications. Based on my review and analysis of Mr. Baker's assigned duties and responsibilities, I conclude his position is correctly allocated to the Maintenance Mechanic 4 classification.

BACKGROUND

On July 3, 2014, Ms. Susan Miles, Human Resource (HR) Consultant for Military, received Mr. Baker's request for a position review. He indicated that his position should be reallocated from Maintenance Mechanic 4 to Maintenance Specialist 4 or 5, or Construction and Maintenance Superintendent 3. (Exhibit B-3)

On July 30, 2014, Ms. Miles notified Mr. Baker that the position review process confirmed that his position was correctly allocated to the Maintenance Mechanic 4 classification. (Exhibit B-1)

On August 27, 2014, Mr. Baker submitted his request for a Director's Review of Military's allocation determination. (Exhibit A-1)

On November 6, 2014, the State HR Director's Review Program received Mr. Baker's request for a Director's written review of his position's allocation. A review conference was not conducted.

POSITION DESCRIPTION (Exhibit B-2)

Mr. Baker is a Maintenance Mechanic 4 for the IMT/Maintenance Air Guard West, at Camp Murray, WA. He reports to Mr. Jim Willers, Facilities Operations and Maintenance Manager,

West. On the Position Description, Mr. Baker's position's responsibilities are described as follows, in part.

Position Objective

"Under the supervision of the Facilities Operations and Maintenance Manager - West, this position is responsible for shop administration and supervising maintenance personnel and mechanical equipment involved with buildings, utilities and facilities.... This position has supervisory accountability for journey trades specialists, maintenance mechanics and custodians performing work on Washington Military Department and National Guard facilities. Duties include but are not limited to the following:

Responsible as the Maintenance Shop Administrator to select and order supplies within designated budget limits, maintain appropriate stock inventory, identify and select contractor for service and small construction project contracts within specified budget limits, utilize work order system to distribute work assignments to appropriate staff, determine appropriate work activities for maintenance staff and control all shop activities.

Supervise eight employees who perform various maintenance program support activities. Directly supervise the maintenance work activities of employees and may perform some maintenance work activities to ensure compliance with all applicable codes and regulatory standards.

Uses iEMS work order system...Prioritizes work activities assigned to staff... Coordinate staff activities with other organization entities for Safety, Planning, Building Design, Special Projects in compliance with Air National Guard standards."

Work time and responsibilities

25% Responsible as the Maintenance Shop Administrator to select and order supplies within designated budget limits, maintain appropriate stock inventory, identify and select contractor for service and small construction project contracts within specified budget limits, utilize work order system to distribute work assignments to appropriate staff, determine appropriate work activities for maintenance staff, and control all shop activities.

15% Administratively supervise eight employees who perform various maintenance program support activities.

25% Directly supervise the maintenance work activities of employees and may perform some maintenance work activities to ensure compliance with all applicable codes and regulatory standards. Uses iEMS work order system to enter job related data including time and materials. Prioritizes work activities assigned to staff to maintain facilities and coordinates services with the building occupants.

30% Coordinate staff activities with other organizational entities for safety, planning, building design, and special projects in compliance with Air National Guard standards.

5% Perform other duties as assigned.

Mr. Baker works under general direction. He interacts with staff, building managers, personnel within facilities, city/county officials, inspectors, Military and supervisory personnel. He works in

multiple buildings and outdoor areas and in a variety of conditions including inclement weather, on rooftops, pump houses and vaults. The tools and equipment he uses include a riding mower, a full range of mechanical power and hand tools, ladders, computer and street sweepers, plows, cranes/lifts and utility carts.

SUMMARY OF EMPLOYEE'S PERSPECTIVE (Exhibits A-1 through A-38)

Mr. Baker is responsible to identify equipment that is covered under the Recurring Work Program (RWP) such as boiler plant equipment, heating and air conditioning, electrical transformers and other essential equipment for building functions. This equipment is referred to as Real Property Installed Equipment (RPIE). Mr. Baker provides oversight to ensure that records are complete through review and comparison with construction as-built drawings, work order databases and other records related to installation, removal or replacement of equipment. Mr. Baker creates a Maintenance Action Sheet (MAS) which is a to-do list or set of procedures to be followed each time a preventive maintenance work order is issued. He wrote that, "the three greatest consumers of my time managing the RWP are the creation of Maintenance Action Sheets, measuring program results, and modifications to the program based on results or resource constraints." Mr. Baker indicated that construction and maintenance activities for RWP are performed by the state in-house or by state contract.

Mr. Baker described steps he takes to develop and provide safety training to staff such as MAS procedures, electrical safety and work procedures, and fire alarm maintenance and repair.

Mr. Baker commented, in part, that "...Over 85% of my \$730,000 annual budget is consumed by the recurring maintenance program; it is an essential function of my position, the reason for the cooperative agreement, and the workflow control and delivery system for all maintenance services provided under the cooperative agreement. It is an administrative handful involving a lot of research." (Exhibit A-38 pg. 5)

Mr. Baker believes his responsibilities fit within the Maintenance Specialist 4 classification.

SUMMARY HUMAN RESOURCES' PERSPECTIVE (Exhibit B-1)

By letter dated July 30, 2014, Ms. Miles described the review process for Mr. Baker's position as follows, in part:

"...A meeting was conducted on July 21, 2014 to perform an audit interview with the employee and supervisors, James Willers and Michael Moran. We discussed the position in detail clarifying the assigned duties and the amount of time required and level of responsibilities for each task. Mr. Baker had also provided a written summary of his duties. ... A new Position Description Form was developed by the classification and compensation specialist, and reviewed by the manager for approval. In conversation and in the application for review, Mr. Baker identified that he was performing higher level work than his current position and that he should be reclassified. During the audit interview, Mr. Baker described the activities that are included in the new Position Description Form that was utilized for this assessment."

Ms. Miles reviewed these classifications: Construction & Maintenance Superintendent 3; Maintenance Specialist 5; Maintenance Specialist 4; and Maintenance Mechanic 4. As a result of her review, she determined:

"...The majority of the current duties more closely match the Maintenance Mechanic 4 job specification. Since this is the current classification, there will be no change in the classification and pay scale for this position."

BOARD GUIDANCE FOR COMPARISON OF DUTIES TO CLASS SPECIFICATIONS

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).

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).

COMPARISON OF DUTIES TO CLASSIFICATIONS

CONSTRUCTION AND MAINTENANCE SUPERINTENDENT 3 (596G)

There is no Class Series Concept for this series.

Definition

Directs state wide field operations on construction and maintenance projects.

As recorded on the PD, Mr. Baker's responsibilities do not align with the Definition to "direct state wide field operations on construction and maintenance projects." Rather, Mr. Baker's responsibilities indicate that he is, "accountable to coordinate with uniformed Air Guard Engineering staff for the facility and grounds maintenance activities at Air Guard work sites on Camp Murray and JBLM..."

The Position Description further states, "This position manages Air Guard maintenance upgrades, contracts maintenance, preventative maintenance and sustainment for Air National Guard facilities on Camp Murray and Joint Base Lewis/McCord. These facilities are utilized by the Washington National Guard to provide services to Washington citizens and other government entities." (Exhibit B-2 pgs. 21-22)

Mr. Baker's scope of responsibility does not reach to the level of "directs state-wide field operations" as required by the Definition of the Construction and Maintenance Superintendent 3. This class is not the best match for allocation of his position.

MAINTENANCE SPECIALIST 4 (596K)

There is no Class Series Concept for this series.

Definition

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 state-wide 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.

At first reading, it appeared that this class may be a good match for Mr. Baker's responsibilities. However, as I looked at this class further, I find that Mr. Baker's responsibilities do not encompass the required level of supervision responsibilities. For example, the Definition states that supervision will be provided to "a variety of journey-level trades workers or general maintenance mechanics..."

The *Glossary of Classification Terms* is found at:

[http://www.hr.wa.gov/sitecollectiondocuments/compensationandjobclasses/comp class hr pro tools/classificationglossary.doc](http://www.hr.wa.gov/sitecollectiondocuments/compensationandjobclasses/comp_class_hr_pro_tools/classificationglossary.doc)

The **Glossary** provides a definition for journey level of work as follows:

"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. Baker is supervisor of employees who are classified as follows. In reviewing these classes, I found the level of work detailed as below, in part:

- Maintenance Mechanic 1 (626J) performs semi-skilled and sub-journey work.
- Custodian 2 (678J) performs various housekeeping, custodial and maintenance related tasks to ensure cleanliness. (sub journey level)
- HVAC Technician (621J) performs skilled work.
- Maintenance Mechanic 2 (626K) performs journey or working level work.

Mr. Baker does supervise employees that are allocated to the Maintenance Mechanic 2 class and the HVAC Technician class. However, Mr. Baker's responsibilities do not encompass the anticipated scope of work responsibility and supervision described as a "variety of trades workers or general maintenance mechanics" in the Definition of this class. This classification is not the best match for his assigned responsibilities and Mr. Baker's position should not be allocated to this class.

COMPARISON OF DUTIES TO MAINTENANCE MECHANIC SERIES

The Class Series Concept for this series is found on the Maintenance Mechanic 1 (626J)

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

The focus of Mr. Baker's position and the majority of his duties and responsibilities, as a whole, are reflected in the Maintenance Mechanic Class Series Concept. Mr. Baker is a supervisor of other employees. He is responsible for oversight and administration of general maintenance, repair and remodeling duties in several fields such as HVAC, carpentry, electrical and plumbing. He has responsibilities for planning and tracking supplies orders. Mr. Baker performs a variety of specialized and highly technical expert-level facility maintenance and repair activities requiring a working knowledge of a variety of skilled trades including HVAC, electronic control systems, electrical and other trades skills. Mr. Baker's position should be allocated to a class within the Maintenance Mechanic series.

COMPARISON OF DUTIES TO MAINTENANCE MECHANIC 4 (MM4) (626M)

Definition

This is the supervisory or expert level of the series. Positions at this level 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 involved with buildings, special apparatus, utilities and facilities. This level also includes positions which erect construction or communication towers around 300 feet high.

The Maintenance Mechanic 4 class describes the overall assigned scope and level of responsibility of Mr. Baker's position. The following summary of his work time and duties, in part, are closely aligned with the stated level of supervisory responsibilities and expertise in facilities construction and repair described in the Definition of this class.

Mr. Baker coordinates staff activities with other organization entities for safety, planning, building design and special projects. He selects and orders supplies, maintains stock inventory and identifies and selects contractors for service and small construction project contracts. He utilizes the work order system to distribute work assignments and determines appropriate work activities for maintenance staff.

He directly supervises the maintenance work activities of employees. He updates the computerized iEMS work order system and prioritizes work activities. He has responsibility to supervises 8 employees who perform various maintenance support activities.

Mr. Baker's overall work assignments and duties are closely matched with the stated nature and level of responsibilities described in the Definition of the MM4.

TYPICAL WORK

Although the examples of Typical Work in a class specification do not form the basis for an allocation, they lend support to the scope and level of work performed by that class. The following Typical Work statements closely reflect Mr. Baker's duties:

- Supervises journey-level trades workers, and others engaged in maintenance, repair and modifications to building mechanical equipment, machinery, special apparatus, utilities and facilities, including, ... elevator, air-conditioning, power plant, and heavy construction equipment;
- Reads plans and blueprints, inspects projects to ensure compliance with local codes, determines scope of work, materials needed, estimated cost and availability;
- Orders materials and maintains an adequate inventory of required materials to carry on shop or maintenance work;
- Develops and conducts a preventive maintenance program for assigned machinery and equipment;
- Enforces safety rules and regulations; maintains records on work performed; writes reports as required;
- May fabricate and install climbing ladders, transmission line ladders, ice shields, and antenna mounts;

Mr. Baker's work assignments are fully consistent with these statements. Overall, Mr. Baker's described duties listed on the PD accurately match the nature and level of supervision and oversight for maintenance, repair and construction as stated in the Definition of the Maintenance Mechanic 4 class. His assigned duties are supported by the Typical Work.

Mr. Baker has compared his responsibilities to other positions. "...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."

The allocation of a position is not a reflection of performance or an individual's ability to perform higher-level work. A position's allocation is based on the majority of work assigned to a position and how that work best aligns with the available job classifications. It is clear Mr. Baker is a highly-skilled and dedicated member of his work group.

Based on my review of the level and scope of the overall assigned duties and responsibilities of Mr. Baker's position, I find the Maintenance Mechanic 4 classification is the best fit. His position is correctly allocated.

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 on the 3rd floor of the Raad Building, 128 10th Avenue SW, Olympia, Washington. The telephone is (360) 407-4101 and the fax number (360) 586-4694.

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

cc: Mr. Jeffrey Baker, Department of Military
Ms. Susan Military, Human Resource Consultant, Department of Military

Enclosure: List of Exhibits

JEFFREY BAKER v MILITARY

ALLO-14-085

A. Jeffrey Baker Exhibits

1. Resubmission Request for Directors Review. Page 2
2. Resubmission additional information letter. Page 4
3. Clarification Ms. Miles Exhibits Page 6
4. Introduction for my Exhibits Page 8
5. Preventive Maintenance, provide direction and oversight of records. Page 9
6. Preventive Maintenance, manage maintenance actions to be performed. Page 10
7. Preventive Maintenance, example of simple maintenance action. Page 11
8. Preventive Maintenance, example of more complex maintenance action. Page 12
9. Preventive Maintenance, balance program and labor resources. Page 14
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11. Training, develop and implement as needed to support program. Page 16
12. Training & procedures develop and provide as needed for program support. Page 17
13. Training, another example of training required for program support. Page 18
14. Training, Safety training required due to program differences from Army. Page 19
15. Procedures developed to satisfy employer and owner responsibilities. Page 20
16. Procedures continued and required contingency support training. Page 21
17. Procedures – imposed additional duties example, confined space. Page 22
18. Training, example of contingency training. Page 23
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20. Coordination and direction of construction and maintenance – Construction Page 25
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29. Construction progress meeting and other Air Program meetings. Page 36
30. Air Program and other non-construction related meetings. Page 37
31. FOMA Program Management – The agreement & funding derived Page 38
32. FOMA Program Management – Budget preparation and funding distribution. Page 39
33. FOMA Program Management – Services provided under cooperative agreement Page 40
34. FOMA Program Management – Budget management. Page 41
35. FOMA Program Management – Purchase and Inventory Page 42
36. Position abstract for Air Program west position responsibilities Page 43
37. Army and Air Program Functional Organizational Charts Page 44
38. Jeffrey Baker's final argument

B. Military Department Exhibits

1. Assessment Report
2. New Position Description based on the assessment
3. Position Review Request –supervisor portion received by email, this does not support any change in Jeffrey Baker's classification
4. Email confirmation from supervisor indicating that the draft new Position Review was correct with minor language changes.
5. Position Review Request –employee portion. Jeffrey Baker requests a position review for Maintenance Specialist 5, Maintenance Specialist 4, and Construction and Maintenance Superintendent 3.
6. Original notes from Jeffrey Baker describing how he believes his work activities belong to a higher classification.
7. Original Position Description Form for position 0196 Maintenance Mechanic 4
8. Job specifications: Maintenance Mechanic 4, Maintenance Specialist 4, Maintenance Specialist 5, Construction and Maintenance Superintendent 3.
9. Organizational Chart for the Maintenance West
10. Crew Building responsibility Summary Report
11. Maintenance Staff Safety Training Report Summary
12. Supervisor Performance Development Plan Summary confirming Supervision Requirements
13. Organizational Chart for the Eastern Washington Maintenance including position #0002 as the Maintenance Manager
14. Facility responsibility summary report for Eastern Washington Maintenance crews
15. Review of position description when the position was previously reallocated from Maintenance Mechanic 4. This was the direct result of a change in responsibilities to include 5 additional staff and new facility responsibly adding 175 buildings, 27,627,640 square feet.
16. Military Department final response

C. Class Specifications

1. Maintenance Mechanic 4
2. Maintenance Specialist 4
3. Maintenance Specialist 5
4. Construction and Maintenance Superintendent 3