

September 14, 2007

RE: Mark Pogue v. Department of Labor & Industries  
Allocation Review Request ALLO-06-006

Dear Mr. Pogue:

On May 23, 2007, I conducted a Director's review meeting at the Department of Personnel, 2828 Capitol Boulevard, Olympia, Washington, concerning the allocation of your position and Laura Goshorn's position, also with Insurance Services Technical Support. Present at the Director's review meeting were you, Ms. Goshorn, and Human Resource Consultants BJ Matthews and Brad McGarvie representing the Department of Labor & Industries (LNI).

**Background**

On December 15, 2005, the Human Resources Office at LNI received an updated Position Description Form (PDF) for your Information Technology Specialist 4 (ITS 4) position, #0866 (LNI Exhibit 5). The PDF had been signed by both you and your supervisor, Tania Basham, Claims Administration Operations Manager. On June 13, 2006, you submitted a subsequent PDF to LNI's Human Resources Office, requesting that your position be reallocated to an Information Technology Specialist 5 (ITS 5) (Exhibit 1). The June 2006 PDF was not signed by your supervisor, but it was very similar to the December 2005 PDF. Human Resource Consultant Terri Beck considered the June 2006 PDF when making her determination.

In her determination, Ms. Beck concluded your position did not meet the characteristics of an ITS 5 position because you had not been assigned individual responsibility for a major organization-wide, high risk/high impact or mission critical system. While she acknowledged the systems you work with are mission critical to the agency, she concluded your level of assigned responsibility was that of a senior professional, supporting the systems and representing the business interests of Claims Administration. As a result, she determined an ITS 4 was the appropriate classification.

On July 27, 2006, the Department of Personnel received your request for a Director's review of LNI's determination.

Since you and Ms. Goshorn both participated in the Director's review meeting, I considered input from both of you. The following summarizes your perspective as well as your employer's:

### **Summary of Mr. Pogue's Perspective**

You contend your position is responsible for three mission critical systems, which include the Benefit Payment System (BPS – a critical indemnity payment system); an imaging system (LUCI); and the claim and account center (CAC), as well as LINIIS, described as the older “umbrella” system housing several systems related to claims. You assert these systems are mission critical because they provide support for internal customers who then support the entire claims administration. Additionally, you point out that external customers such as medical providers, injured workers, and attorney support staff also utilize the system. Because LNI has two distinct functions, safety or claims, you contend it is impossible for your IT responsibilities to be considered “agency-wide.” In summary, however, you state that any function related to an LNI claim goes through the systems you manage and, as a result, affects Insurance Services as a whole.

You further contend you perform all of the functions stated in the definition of an ITS 5 and assert you are the expert for automation, which you describe as a shared responsibility with Ms. Goshorn. You assert your duties include consulting, designing, developing access databases, testing programs, applying utility tools, and overseeing the staff who are leading projects in these areas. You assert your duties have grown since the previous class study (1999) and state you now oversee staff members performing duties you once performed. You contend the majority of your time is spent consulting with customers, getting a design, performing analysis to meet business needs and then putting it into written text (translating or coding) for the programmer. After the programming is complete, you state you oversee your staff members who actually perform the testing or application. You acknowledge you do not do mainframe programming, but you contend you do “technology brainstorming” and provide expertise to your staff who handle operational problems.

You contend you spend about 85% of your time developing, maintaining, and enhancing the systems and about 15% on administrative issues. You further contend you overlook the security on two of the systems, as well as oversight of external customers on CAC. Finally, you contend you have the authority to make decisions about when to shut down a system, with the least impact to operations, for enhancements, upgrades, or troubleshooting. While you acknowledge you keep your supervisor or Program Manager informed, you assert you and Ms. Goshorn make those determinations and provide back up for the other's position. Therefore, you believe your position fits the ITS 5 classification.

### **Summary of LNI's Reasoning**

LNI acknowledges the work you perform is very important and can impact the administration of LNI claims. However, LNI contends you work within a Technical Support Services Unit as part of Claims Administration in Insurance Services, not within the Information Services Division. LNI asserts the highly technical functions representative of the ITS 5 and 6 classifications, such as maintaining the agency's mainframe systems, occur within the Information Services Division (LNI Exhibit 4). LNI asserts the purpose for the technical support units within other divisions is to put positions with technical knowledge in areas where the incumbents also have business expertise. For example, LNI describes your understanding of industrial insurance claims as essential to performing your information technology (IT) duties. LNI contends your position has been tasked with the business side of IT duties and responsibilities.

LNI asserts your duties and responsibilities are in line with the ITS 4 classification, describing your duties as supporting business applications to keep the business of claims administration running; scheduling projects; and troubleshooting the operational systems through to resolution to ensure business operations run smoothly. LNI considers your position a senior-level specialist and acknowledges you supervise other ITS staff. LNI, however, contends your supervisor and Program Manager are ultimately accountable for decisions made about the systems affecting Insurance Services. Therefore, LNI believes your position is appropriately allocated as an ITS 4.

### **Director's Determination**

This position review was based on the work performed for at least the six-month period prior to June 15, 2006, the date you submitted your reallocation request to LNI.

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 my review and analysis of your assigned duties and responsibilities, I conclude your position is properly allocated to the Information Technology Specialist 4 classification.

### **Rationale for Determination**

Your PDF describes your position's objective as managing projects to develop or enhance software for claims management. As noted earlier, the systems include the LINIIS mainframe, Look Up Claims Information (LUCI) Imaging systems, Claims Account Center (CAC) and external access systems for statewide support of state government offices, providers, and injured workers (Exhibit 1).

The systems you work with are described as "mission critical indemnity payment systems," which your position supports. As such, you manage software maintenance and use your expert knowledge of the claims management processes to perform analysis,

troubleshooting, and problem solving. You redesign workflow to solve business problems related to LNI claims, such as claims management, accounting for claims payments, and data integrity. You also advise and consult senior management on technical solutions to problems in these areas. In the absence of the operations manager (your supervisor) you and Ms. Goshorn lead the duties for the unit and are directly responsible to the Program Manager. You also supervise lower-level ITS (ITS 1 – 3) and clerical staff.

The following summarizes the key work activities described on your PDF:

- 35% Manages projects to develop or enhance software for claims primarily in LINIIS. This includes the following:
- Writing project plans to include scope, goals, objectives, measures, and deliverables;
  - Managing the project stakeholders and teams, conducting or coordinating customer requirement meetings and developing proposals and recommendations;
  - Creating communication plans and schedules;
  - Supervising management status reports and implementing projects by design date; using expert knowledge of the business area, assuring all software solutions are consistent with rules and policy;
  - Compiling data from project testing and assessing to measure project success.

30% Supervises technical professionals and oversees the direct reports.

*On the PDF submitted for reallocation (Exhibit 1), you indicate you supervise ITS 1 and ITS 3 levels and oversee direct reports (ITS4). Box 24 of the PDF (page 2) specifies that you supervise one ITS 3, one ITS 1, and an Office Assistant (OA) 3. Similarly, your previous PDF (LNI Exhibit 5) indicates you supervise one ITS 2 and an OA 3. Both PDFs confirm your position is a lead position.*

As part of the supervision and oversight, your position has been tasked with determining and developing software requirements for repair, development, or enhancement of claims management programs. Again, you apply your expert knowledge of business areas to assure software is consistent with rules, laws, and policy. This section also notes direct reports (identified above as ITS 4s) “are responsible for mission critical systems.” As such, “they must understand the customer’s business and be able to solve problems and align solutions with business goals and methodologies” (Exhibit 1 & LNI 5).

The PDF submitted for reallocation (Exhibit 1) further notes that the ITS 4s supervise the development of use cases, test plans, scripts and schedules and

oversees system testing and usability testing levels. Additionally, "ITS's may prepare reports, run data queries, advise the help desk, solve claim specific payment or other processing problems, maintain complex tables" (Exhibit 1).

The PDF further details your duties as follows:

- 5% Coordinates and leads software releases for the Claims Application Core Team. This includes administration of LINIIS and/or LUCI steering committees, which include program managers from multiple areas.
- 5% Manages testing and troubleshooting the maintenance, repair, development or enhancement for multiples systems, multiple program or division changes affecting claims management.
- 10% Prepares specialized analysis and technical solutions to complex business and technical problems for claims management. This includes planning and monitoring integration of IT changes with all claims management work flow and business process and acting as the designee in case of disaster or system failure (including bringing down the system).
- 10% Consults and advises all levels of management and customer groups on new technologies. This includes translating "IT jargon in a way that is understandable for customers."

The Category Concept for the Information Technology Specialist Occupational Category states:

Positions in this category perform professional information technology systems and/or applications support for client applications, databases, computer hardware and software products, network infrastructure equipment, or telecommunications software or hardware.

This category broadly encompasses a wide variety of positions in one or more information technology disciplines. Some examples include Application Development and Maintenance, Application Testing, Capacity Planning, Business Analysis and/or Process Re-Engineering, Data Base Design and Maintenance, and Data Security. Your position fits within the category concept because of the information technology systems you work with. The distinction between the ITS 4 and ITS 5 are described in the distinguishing characteristics.

The ITS 4 position is described as the "senior-level specialist in an assigned area of responsibility and/or as a team or project leader." Incumbents will perform analysis, system design, acquisition, installation, maintenance, programming, project management, quality assurance, troubleshooting, problem resolution, and/or consulting for complex

computing system, application, data access/retrieval, multi-functional database or database management systems, telecommunications, project or operation problems.

As the senior-level specialist incumbents will apply "advanced technical knowledge" and "considerable discretion" to evaluate and resolve complex tasks to include planning and directing large-scale projects, conducting capacity planning, designing multiple-server systems, directing or facilitating the installation of complex systems, hardware, software, and application interfaces. Further, positions at this level develop and implement testing and performance monitoring and planning and act as a liaison on the development of applications.

At the ITS 4 level, "[i]ncumbents understand the customer's business from the perspective of a senior business person and are conversant in the customer's business language." Further, the majority of work performed has wide-area impact, integrates new technology, and/or affects how the mission is accomplished.

Your position fits the ITS 4 category because you manage projects to develop or enhance software for claims management in the Insurance Services Division. While you supervise lower level staff (ITS 1 – 3 and clerical staff), you also share the lead responsibility with Ms. Goshorn as a team or project leader. In managing projects, you use your expert knowledge of the business area (claims administration) to analyze, design, problem solve, and troubleshoot (including application testing) these computer systems. You also consult and advise management on technical solutions to problems related to claims processing. You are a senior-level specialist with advanced technical knowledge who also understands the business aspect of your section as it relates to the claims administration process. An example of this is your ability to articulate the business need of the Insurance Services Division to the programmers in Information Technology.

I recognize that many of the functions identified at the ITS 4 level also fit within the ITS 5 level, such as analysis, design, development, acquisition, installation, maintenance, programming, testing, quality assurance, and problem resolution. These functions, however, are performed at a highly complex, technical level as an ITS 5, which is considered the supervisory or expert level. While you do supervise lower level staff, supervision is also consistent with the ITS 4 class.

I acknowledge the systems you work with are mission critical to LNI. During the Director's review meeting, LNI asserted that the most complex, highly technical IT functions occur within the Information Technology Division. They further asserted that the intent of including your position as an Information Technology Specialist within a business unit was to put an IT position with the business knowledge closest to the source. In your position objective, the reference to your "expert knowledge of claims management processes" supports LNI's assertion. While you have been designated to bring systems up or down (10% on PDF), you also indicated you keep your supervisor and Program Manager or Assistant Director informed about such decisions.

During the Director's review meeting you referenced several other position descriptions, including WMS positions, which you included as exhibits. As I explained in our meeting, a comparison with another position is not an allocating factor. Although other positions may have similar characteristics or include some of the same duties, each position has nuances specific to that position. The Personnel Resources Board (PRB) previously addressed this subject in the following decision:

While 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. Byrnes v. Dept's of Personnel and Corrections, PRB No. R-ALLO-06-005 (2006).

In Byrnes, the Board also referenced a previous Personnel Appeals Board (PAB) decision, noting that the allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a position." Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

Additionally, the allocation review process involves comparing a classified position's assigned duties and responsibilities to the available job specifications within the classification plan, not placement of positions in WMS.

It is clear you have an important role in supporting and maintaining the critical systems that keep LNI's claims administration operating smoothly. As such, I recognize you have tremendous responsibility. I conclude, however, your level of responsibility fits the senior specialist level. Therefore, the Information Technology Specialist 4 classification best describes your position # 0866.

### **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  
Legal Affairs Division

c: Brad McGarvie, L&I  
BJ Matthews, L&I  
Lisa Skriletz, DOP

Enclosure: List of Exhibits