

March 31, 2008

TO: Gary Hill, Washington Federation of State Employees (WFSE)

FROM: Teresa Parsons  
Director's Review Program Supervisor

SUBJECT: Lyudmila Zadneprovskaya v. Green River Community College (GRCC)  
Allocation Review Request ALLO-06-046

On November 30, 2007 and December 19, 2007, I conducted Director's review meetings by telephone conference call concerning the allocation of Ms. Zadneprovskaya's position. Present at the Director's review meeting were you, Evelyn Gershen, WFSE; and Ms. Zadneprovskaya; Barbara Iribarren, Human Resource Representative at GRCC; John Bowers, Ms. Zadneprovskaya's supervisor at the time of the review; and Krista Fox, Assistant Dean of Instruction.

### **Background**

On August 7, 2006, Ms. Zadneprovskaya signed a Position Review Request (PRR) form, requesting that her Program Assistant position be reallocated to the Customer Service Specialist 4 classification (Exhibit D-4). On August 15, 2006, her supervisor at the time, Assistant Director Andre Jackson, signed the form, indicating that he disagreed with Ms. Zadneprovskaya's description of duties on the PRR. Mr. Jackson provided a written response to the PRR (Exhibit D-5b). On August 15, 2006, the Human Resources Office at GRCC received Ms. Zadneprovskaya's PRR.

In an October 31, 2006 memorandum, Human Resource Generalist Barbara Iribarren denied Ms. Zadneprovskaya's reallocation request. On December 18, 2006, Ms. Zadneprovskaya appealed GRCC's allocation decision to the Personnel Resources Board, which was forwarded to the Director's Review Program. In a December 21, 2006 letter to the parties, I questioned the timeliness of the request and followed up with the parties via email correspondence on December 27 and 28, 2006.

In summary, Ms. Iribarren wrote the allocation memo on October 31, 2006, and then forwarded the memo to President Richard Rutkowski for signature on November 7, 2006. On November 9, 2006, Ms. Iribarren met with Ms. Zadneprovskaya, Mr. Jackson, and Ms. Fox to

discuss the results of the allocation review; however, President Rutkowski had not yet signed the allocation determination. While the college asserts the signed memorandum was mailed to Ms. Zadneprovskaya on November 13, 2006, Ms. Zadneprovskaya asserts she received the memorandum as an attachment to an email from Ms. Iribarren on November 22, 2006. After reviewing all of the documentation, I accepted Ms. Zadneprovskaya's request as timely filed within 30 days of being provided the results of the allocation review on November 22, 2006.

### **Summary of Ms. Zadneprovskaya's Perspective**

Ms. Zadneprovskaya asserts she has many years of experience providing customer service to customers and clients of the Workforce Education office at GRCC. Ms. Zadneprovskaya contends she is the first person that individuals have contact with in the Workforce Education office and states she deals with internal departments such as Financial Aid and Career Center, as well as students and external agencies such the Employment Security Department, Department of Social and Health Services, and other WorkSource partners such as the King County Dislocated Worker Program. Ms. Zadneprovskaya contends she has knowledge and experience related to Workforce Education paperwork and procedures, including partner agencies, and asserts she is able to explain procedures, offer guidance, and determine which programs are appropriate for applicants in an effort to assist them. Ms. Zadneprovskaya views the majority of her work as customer service related and believes the Customer Service classifications better describe her work.

### **Summary of GRCC's Reasoning**

GRCC acknowledges Ms. Zadneprovskaya is the primary contact in the Workforce Education office and that she has a good understanding of the various programs. However, GRCC believes the Program Assistant is the appropriate classification because Ms. Zadneprovskaya's duties involve intake, which includes getting the proper paperwork completed, providing information about resources on campus, and setting up appointments with the appropriate program coordinator. GRCC asserts it is the program coordinator positions, such as an Employment Specialist or Workforce Coordinator, that have responsibility for screening applicants or making decisions about a course of action. GRCC acknowledges Ms. Zadneprovskaya engages students and understands set criteria for programs like the Worker Retraining or WorkFirst programs but contends her role is to provide information and put them on the right path but not to make any determinations about eligibility. GRCC asserts the assistance Ms. Zadneprovskaya provides students and other clients falls within the Program Assistant classification.

### **Director's Determination**

This position review was based on the work performed for the six-month period prior to August 15, 2006, the date the Human Resources Office at GRCC received Ms. Zadneprovskaya's Position Review Request.

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 Ms. Zadneprovskaya's assigned duties and responsibilities, I conclude her position is properly allocated to the Program Assistant classification.

### **Rationale for 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. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

I reviewed the Position Review Request (PRR) completed by Ms. Zadneprovskaya in conjunction with her supervisor's documentation (Exhibit D-5 a/b), the notes from Ms. Iribarren's position review (Exhibit D-7), and the comments during the Director's review meeting, including those from Assistant Dean Krista Fox. On the PRR, Ms. Zadneprovskaya describes her position's purpose, as follows:

My position is responsible for providing quality customer service, assistance and problem resolution to the Workforce Education Department's customers, agency partners and both the WorkFirst Coordinator and the Worker Retraining Coordinator, along with all other on-campus departments, staff and faculty. I assist our department's customers by screening them for specific program eligibility requirements and using information and data to assist them with specific questions. I am also responsible for maintaining the department's database that tracks student participation and enrollment activities. I also receive all initial inquiries into the workforce Education office and I am able to provide a vast range of options and resources, along with providing professional/technical program information.

During the Director's review meeting, there was a lot of discussion about the "screening" process and Ms. Zadneprovskaya's level of involvement. Although Mr. Bowman was her supervisor at the time of the review and not during the time relevant to this request, he explained there is a "pre-screening" element to Ms. Zadneprovskaya's job and that "intake" does require knowledge of program procedures and rules. Along those lines, Ms. Zadneprovskaya's position requires an understanding of specific criteria related to either the Worker Retraining or WorkFirst programs, the two pathways related to student eligibility under the Workforce Education Department at that time, as explained by Ms. Fox.

Ms. Fox further affirmed that Ms. Zadneprovskaya is the first line of contact in the department and that it is appropriate for her to provide students with information about

program or campus resources. However, Ms. Fox stated Ms. Zadneprovskaya's position deals with the process of completing the proper paperwork to get prospective students on the right path toward eligibility but not to independently make any determinations about student eligibility. In the course of completing that initial paperwork, Ms. Fox explained that Ms. Zadneprovskaya, based on her knowledge of the programs, will ask a series of standard questions related to specific guidelines.

With regard to database management, *Ms. Zadneprovskaya's supervisor, Andre Jackson, indicated she was not responsible for maintaining any database in the office (Exhibit D-5b).* Ms. Fox clarified that Ms. Zadneprovskaya's tasks involve entering and extracting data but not analyzing the data. Based on Ms. Iribarren's notes from the position review (Exhibit D-7), she indicated that around 2002 a previous supervisor had given Ms. Zadneprovskaya access to the EJAS database when there was a period of staff turnover. In fact, it is undisputed that at times Ms. Zadneprovskaya would cover other employees and that based on her experience working with Workforce Education, she would step in and assist clients when others were unavailable. This is supported by Mr. Jackson's characterization of the Workforce Education Department in a document Ms. Iribarren stated was an attachment to an email he sent to her (Exhibit D-5a). In the attached document, Mr. Jackson wrote, "*[s]ince arriving in April of 2006, there was an unofficial understanding that people needed to cover each other in emergency situations to provide the best customer service for students.*"

In the same attachment (Exhibit D-5a), Mr. Jackson then wrote, in part:

*As another part of everyone's changing responsibilities and roles, it is only acceptable for professional staff to make determinations for students, to sign documents for their programs, and to conduct one-on-one interviews. Therefore, eliminating the responsibility for people to sign when they may feel something needs to be signed as an emergency, though I know all of you are certainly knowledgeable and capable. This change is pat [sic] of the process initiated in May . . .*

The document authored by Mr. Jackson lends support to GRCC's assertion that Ms. Zadneprovskaya had been told not to sign documentation or make any determinations about student eligibility that was unrelated to the initial paperwork process. During the Director's review meeting, Ms. Fox confirmed this was again reiterated to Ms. Zadneprovskaya in the November 9, 2006 meeting with Ms. Zadneprovskaya to verbally go over the results of the position review.

It is clear that Ms. Zadneprovskaya has years of knowledge and experience working with the college and has a good understanding of the various programs. It is also apparent that Ms. Zadneprovskaya has a sincere interest in helping the customers and clients who come in contact with Workforce Education. As a result, Ms. Zadneprovskaya has made efforts to assist these individuals and has at times backed up other positions, including program coordinator positions. However, an allocation is based on the majority of work assigned to a position, not a person's ability to perform higher-level work.

In reviewing the job duties on pages 3 – 5 of the PRR, Ms. Zadneprovskaya describes the majority of her work (40% each) relating to Worker Retraining and WorkFirst programs, which is consistent with Ms. Fox's description of programs during the relevant time period. In each section, Ms. Zadneprovskaya begins by stating she provides assistance to students by assisting them with their required paperwork. This is also consistent with Ms. Fox's statements about the primary duties assigned to Ms. Zadneprovskaya's position. Ms. Zadneprovskaya then provides additional detail, including:

- Determining which programs would be appropriate for the applicants;
- Referring customers to the appropriate resources and/or other agencies;
- Providing explanations and offering guidance on numerous forms.
- Researching Proposal Plan forms, Career Center referrals, Tuition Authorization waivers;
- Resolving issues and handle conflicts;
- Referring students to Education Planning for advising sessions;
- Contacting agencies like ESD and DSHS as a liaison to request documentation or obtain referrals;
- Providing one-on-one orientations with students when coordinator is not available;
- Making referrals and scheduling appointments with Educational Planning to meet with and advise students;
- Coordination with case managers and supervisors from DSHS and making notes in EJAS database.

While Ms. Zadneprovskaya explains processes, answers questions about specific forms, and provides information about resources, her supervisor, Mr. Jackson, disagreed with her characterization of duties. In his direct response to the PRR, Mr. Jackson wrote, in part:

- This individual is not authorized to refer clients to community partner agencies.
- The database person is responsible for running data reports.
- This person does not conduct one-one-one orientations with students.
- This person should not be scheduling appointments for Ed. Planning this is not an assigned task.
- This individual is not responsible for accepting referral from DSHS
- Workforce coordinator[s] are the liaison to DSHS case managers and supervisors.
- Does not provide customer training to part-time workers in office.

Mr. Jackson also noted that some of the decision-making authority identified by Ms. Zadneprovskaya related to an earlier time, which is consistent with some of the examples provided by Ms. Zadneprovskaya from 2005 (Exhibits C-2 and 3).

When comparing Ms. Zadneprovskaya's assignment of work to the class specifications, her position fits the Program Assistant class series concept, which describes positions as performing work that requires specific program knowledge and experience. Positions also organize and perform work related to program operations independent of the daily administrative office needs of the supervisor, and represent the program to clients, participants and/or members of the public. The specialized tasks include interpretation of policies, procedures and regulations, and clerical duties support performance of specialized tasks.

Ms. Zadneprovskaya's position further meets the basic function and distinguishing characteristics of the Program Assistant, which emphasize performance of specialized technical/clerical duties in support of a program activity requiring program specific knowledge and experience to provide "students, staff, program participants and/or the public with information and interpretation of policies and activities related to the program specialty." Positions work under general supervision. Ms. Zadneprovskaya's primary duties involve assisting students and/or potential students with completing the appropriate paperwork, by answering questions related to the Workforce Education programs, and by providing information about available resources. These duties are clerical in nature and consistent with the Program Assistant classification.

The category concept for the Customer Service Occupational Category states that positions "provide assistance and problem resolution to agency clients/customers and are located in a designated customer service program." Further, "[t]he intent of the series is to assist clients/customers in identifying agency processes and procedures, resolving client/customer problems related to agency programs and interpreting agency related laws, policies and procedures. The category concept further notes that Customer Service positions are "not clerical in nature" and clerical duties are "incidental to the total work assignment."

Although there is a customer service aspect to the work Ms. Zadneprovskaya performs, it is related to the assistance she provides to Worker Retraining and WorkFirst clients rather than those in a designated customer service program. Specifically, at the Customer Service Specialist 4 level, Ms. Zadneprovskaya does not meet the distinguishing characteristics of planning, organizing, and managing a designated customer service program. Although the distinguishing characteristics at the Customer Service Specialist 1 level are similar to the Program Assistant in that both classes provide assistance and problem resolution to clients/customers, Ms. Zadneprovskaya is assigned to a specific program area, making the Program Assistant a better fit.

I also considered the Program Coordinator classification. However, the basic function states that positions in that class coordinate the operation of the program. Based on the comments by Ms. Fox, as well as the documentation from Mr. Jackson, Ms. Zadneprovskaya has not

been tasked with that responsibility. Additionally, I did not find that Ms. Zadneprovskaya's position had been tasked with projecting, monitoring, maintaining, initiating and/or approving expenditures on program budgets, and Ms. Fox reiterated that her involvement with students, staff, and others was limited to the intake process but did not include extensive involvement beyond that point.

Based on the overall assigned duties and responsibilities during the relevant period of time, the Program Assistant classification best describes Ms. Zadneprovskaya's position.

### **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 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.

c: Lyudmila Zadneprovskaya  
Barbara Iribarren, GRCC  
Lisa Skriletz, DOP

Enclosure: List of Exhibits