

August 28, 2008

TO: Teresa Parsons  
Director's Review Program Supervisor

FROM: Kristie Wilson  
Director's Review Investigator

RE: **Tony Rapozo v Parks and Recreation Commission (P&R)**  
**Allocation Review Request No. ALLO-07-058**

On June 9, 2008, a Director's Review meeting took place at the Department of Personnel (DOP), 2828 Capitol Boulevard, Olympia, Washington, concerning the allocation of Tony Rapozo's position. Present during the meeting were Tony Rapozo, George Price P&R HR Office, and myself.

### **Investigator's Finding**

My review finds that Mr. Rapozo's position is properly allocated as an Environmental Engineer 3A.

### **Background**

On April 16, 2007, Mr. Rapozo filed a Classification Questionnaire (CQ), requesting that his position be allocated to the Environmental Engineer 4 (EE 4) class. Mr. Rapozo had previously been in a WMS Engineering Manager position. George Price, P&R Human Resource Consultant, reviewed the request and determined that Mr. Rapozo's position should be reallocated to Environmental Engineer 3A (EE3A). In his letter dated June 13, 2007, Mr. Price outlined the reasons and basis for his decision regarding each job classification considered. On July 10, 2007, Mr. Rapozo filed a request to DOP for a director's review.

### **Summary of Mr. Rapozo's perspective**

Mr. Rapozo asserts that he directs an independent environmental engineering section including supervising five engineering positions. Mr. Rapozo states that he is responsible for all aspects of supervising including hiring, training, performance evaluations, and corrective action.

Mr. Rapozo states that he is a professional engineer and has over five years of environmental engineering experience.

Mr. Rapozo states that he represents the agency in negotiating contracts. He works with the land section to obtain licenses and works with Department of Ecology or Department of Health for the water and sewer issues. Mr. Rapozo performs investigations on sites that have been contaminated and works with Department of Ecology to develop the necessary letters.

Mr. Rapozo feels that he clearly meets the minimum qualifications of an EE 4, having 25 years of experience in engineering. He believes that EE 3A's are journey level positions and that the EE 4's are considered technical experts. Because Mr. Rapozo provides technical advice to other groups on various projects, he feels the EE 4 classification best describes his job duties.

### **Summary of P&R's Reasoning**

Mr. Price agrees that Mr. Rapozo directs an independent environmental engineering section which includes supervising five engineering positions (exhibit C-2 organizational chart). Mr. Price explained that they have four regional offices. Within each regional office there is an EE 3A that is the supervisor. Mr. Rapozo is the supervisor of the Eastern Region. Mr. Price describes the environmental unit Mr. Rapozo supervises as a medium-sized unit, based on the number of people supervised.

Mr. Price explained that they have an Environmental Engineer 5 (EE5) position that is the technical expert and the EE3A's turn to that person for assistance. The EE5 position is the final stamp of approval on Mr. Rapozo's plans and specifications. Mr. Price explained that Mr. Rapozo represents the agency in the Eastern Region only. Mr. Price asserts that Mr. Rapozo's supervisory responsibilities do not fall within a large section of the agency. His supervisory responsibility is considered medium sized.

Mr. Price asserts that because Mr. Rapozo has not been designated as an authority in a specialty field and he only supervises five staff, Mr. Rapozo's position does not meet the definition of an EE4. On a best-fit basis, Mr. Price allocated Mr. Rapozo's position to an EE3A.

The definition for the EE4 states:

Directs an environmental or public health section and represents the department as a registered professional engineer performing environmental engineering duties involving the protection of public health and/or the protection or restoration of the environment.

OR

In the Department of Ecology, directs a large environmental unit and supervises nine or more staff which includes at least three environmental engineers performing environmental engineering duties. Represents the Department as a registered professional engineer.

OR

As a senior environmental engineering specialist, plans, and conducts investigations of, and proposes solutions to environmental engineering problems that require the research and application of environmental engineering techniques and principles within a specialty field. Positions are recognized and designated in writing by a program manager (in Ecology), Assistant Secretary (in Health) or equivalent as a section's authority in an environmental engineering technical specialty, type of facility, or equipment.

Based on the definition of an EE4, I feel that Mr. Rapozo's job duties do not reach the level envisioned in the EE4 class. Mr. Rapozo manages the activities of five staff. This includes licensed and non-licensed environmental engineering staff performing environmental and other type of technical engineering design services to ensure/maintain public health and safety, including the direct supervision of engineering work done by non-licensed staff. In addition, Mr. Rapozo meets regularly with staff to review and discuss technical aspects of project tasks.

The definition for EE3A states:

In the Department of Ecology, directs a medium-sized environmental unit and supervises five or more staff which includes at least two environmental engineers performing environmental engineering duties. Represents the department as a registered professional engineer.

OR

In the Department of Health, directs a medium-sized environmental or public health unit and supervises five or more technical staff performing environmental engineering or public health duties. Represents the department as a registered professional engineer.

Mr. Rapozo clearly directs a medium-sized environmental unit and supervises five or more staff which includes at least two environmental engineers performing environmental engineering duties. Mr. Rapozo represents the department as a registered professional engineer.

As previously noted by the Personnel Resources Board (PRB), the guidance provided in the Department of Personnel's Classification and Pay Administrative Guide establishes that the following standards are primary considerations in allocating positions:

- a) Category concept (if one exists).
- b) Definition or basic function of the class.
- c) Distinguishing characteristics of a class.
- d) Class series concept, definition/basic function, and distinguishing characteristics of other classes in the series in question.

After reviewing the documentation and comments from all parties with regard to Mr. Rapozo's assigned duties and responsibilities, I conclude the Environmental Engineer 3A classification best describes Mr. Rapozo'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.

Enclosure: Exhibit List