



STATE OF WASHINGTON  
OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM  
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December 18, 2013

TO: Teresa Parsons, SPHR  
Director's Review Program Supervisor

FROM: Kris Brophy, SPHR  
Director's Review Program Investigator

SUBJECT: Mark Dragoo v. Department of Corrections (DOC)  
Allocation Review Request ALLO-12-072

This position review was based on the work performed for the six-month period prior to October 11, 2012, the date DOC HR at Stafford Creek (DOC HR) received Mr. Dragoo's request for a position review. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the written comments provided by both parties. Based on my review and analysis of Mr. Dragoo's assigned duties and responsibilities, I conclude his position should be reallocated to the Mail Processing – Driver (MP-D) classification.

**Background**

On October 17, 2012, DOC HR received Mr. Dragoo's Position Review Request (PRR), requesting that his Office Assistant 3 (OA 3) position be reallocated to a Mail Services Investigator\* (Exhibit B-2).

\* Mr. Dragoo requested the creation of a Mail Services Investigator class to address the body of work he performs. However, WAC 357-13-050 provides that, "[t]he employer must allocate or reallocate each classified position to an established class in the classification plan." Changes to the classification plan, including the creation of new classes, are outside the scope of a Director's review under Chapter 357-49 WAC. Because there is no such existing job class in the classification plan, allocating Mr. Dragoo's position to Mail Services Investigator is not an option.

DOC HR conducted a position review and notified Mr. Dragoo on November 26, 2013 that his position was properly allocated to the OA 3 class (Exhibit B-1).

On December 19, 2012, the State Human Resources Division, OFM received Mr. Dragoo's request for a Director's review of DOC's allocation determination (Exhibit A-1).

On October 29, 2013, I conducted a consolidated Director's review conference regarding the allocation of the following positions:

Donna Dixon	(ALLO-12-071)
Mark Dragoo	(ALLO-12-072)
Terrie Matsen	(ALLO-12-073)
Lester Tuffree	(ALLO-12-074)

Mr. Dragoo and Mr. Tuffree did not participate in the Director's review conference; however, Ms. Dixon and Ms. Matsen were present and provided information regarding the employees' assigned job duties. Also present for the conference were Ronny Matsen, Correctional Sergeant, Shop Steward Teamsters, 117, and Nicole Baker, Human Resource Consultant, DOC.

The parties submitted additional exhibits during the review conference. Ms. Baker submitted a final response to the additional exhibits on November 22, 2012. This information has been added to the record and incorporated as exhibits to the file.

### **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. Dragoo works as a member of the mailroom staff working in the Mailroom as part of the Regular Day Off (RDO) Program located at Stafford Creek Correctional Center (SCCC), DOC. Mr. Dragoo reports to Sergeant Cheryl Sullivan, Mailroom Sergeant.

As stated in the purpose statement section of the Position Review Request, Mr. Dragoo's position is responsible for sorting, searching and reviewing all incoming and outgoing mail and e-mail messages to and from inmates within the SCCC facility. This includes responsibility for the discovery and removal of contraband in incoming and outgoing mail, applying departmental policies regarding contraband management, preparing mail restrictions and writing infractions, when necessary, for all contraband found. Mr. Dragoo's position requires him to perform data entry and database search functions, process negotiable items and complete various forms and report for use by SCCC Investigations Unit and other SCCC staff. Mr. Dragoo's position plays an important role in the safety and security of the facility by assisting in the prevention and removal of weapons, drugs, and contraband from entering the SCC facility.

Mr. Dragoo describes his major job duties in the Position Review Request (PRR) as follows:

- 40% Screening and processing offender and staff mail. Process offender incoming and outgoing e-messages.
- 15% Process outgoing packages for staff and offenders utilizing USPS, UPS, and

FedEx regulations and processes.

- 15% Data entry (i.e. enters mail sender's data, receipt offender monies, update offender housing assignments, enter report generating data).
- 10% X-Ray and process incoming mail.
- 5% Report writing
- 5% Problem solving and trouble shooting.
- 5% Operate motor vehicles for mail delivery throughout the institution.

In addition, the updated Position Description Form for Mr. Dragoo's position describes his assigned duties and responsibilities as follows:

- 50% Duty: Mail Processing & Investigation  
Screen incoming U.S. Mail, commercial deliveries, and State mail deliveries for contraband, improper content, and DOC Policy violations.  
Tasks:
  - Separate staff and offender mail (this includes legal mail),
  - Sort mail by the work unit's internal designations for the offenders
  - Open and review offender mail
  - Remove items that are unable to be delivered per policy, operational memoranda, and penological objectives, including contraband items
  - Utilize OBTS, OMNI, and Liberty Web data bases to verify offender information such as no contact orders and their conditions, inappropriate mail content, and sanctions
  - Drug test mail suspected of being impregnated with drugs
- 20% Duty: Correspondence, Filing, and Training:  
Tasks:
  - Respond to offender requests and queries from staff, and the public
  - Assist in training and familiarization of new/assigned staff
  - Other tasks assigned by supervisor
- 10% Duty: Process Negotiable Items  
Tasks:
  - Remove, document, and process all negotiable instruments including cashier's checks, corporate checks, money orders and cash
  - Enter each item in the Arrival database
  - Generate receipt
  - Verify receipt data, and forward receipt to the offender
  - Provide appropriate documents and instruments to the Offender Accounts for posting and documentation

- Reject cash and other items that violate policy

10% Duty: Legal Mail

Perform specialized processing of mail that meets the DOC Policy definition of Legal Mail.

Tasks:

- Using the Washington State Bar Association website or direct telephone contact for out of state legal sources, confirm that mail is from a verifiable legal source
- Identify mail that is not deemed to be from a verifiable legal source, stamp as such, and process as standard mail
- Forward *bona fide* legal mail items to the legal mail officer for further processing

10% Duty: Forms and Reports

Independently generate reports and paperwork.

Tasks:

- Daily and monthly accounting documents for the postage meter
- Incoming and outgoing package and mail count reports
- Writing general or serious infractions when there are policy violations
- Generate mail restriction forms for any items that violate DOC Policy
- Compile data bases, update and maintain data bases as new information becomes available

Supervisor's Comments

Sergeant Sullivan completed the supervisor's portion of the PRR and indicates that Mr. Dragoo's description of his assigned duties and responsibilities is accurate and complete.

**Summary of Mr. Dragoo's Perspective**

Mr. Dragoo asserts his position as a correctional mailroom worker should be reallocated from the OA 3 class to a new classification such as a Correctional Mail Investigator to more accurately reflect the unique and dangerous duties and job requirements that he is required to perform. Mr. Dragoo contends the Mailroom staff work in a unique position to ensure that staff within the SCCC facility can perform their duties safely by not being exposed to the dangers the Mailroom staff have eliminated through their mail processing activities.

For example, in exhibit A-6, Mr. Dragoo states the work that is conducted in the Mailroom is unique for the following reasons:

- Searching for Contraband: This is normally conducted by Correctional Officers in the performance of their duties. X-ray, opening and searching packages is also indicative of their duties.
- Researching Inmate Legal Prohibitions: This duty [has] historically been conducted by Correctional Counselor 2 & 3 and Correctional Records

Specialists. They also electronically track inmate housing charges and change of addresses.

- Reading and or listening to inmate communications for illicit content: These duties are normally conducted by Correctional Investigators as this duty is the first defense in protecting the facility. Also identification, handling and testing of illegal narcotics [are] duties of investigators.
- Operation of mail postage and tracking machinery and programs: These duties are normally performed by employees of the U.S. Postal service. To operate these machines requires specialized training and exact tracking of large sums of monies.

Mr. Dragoo asserts his position functions as the first line of defense in the security of the SCCC facility. This includes being potentially exposed to a variety of threats and/or contaminants. He indicates that this requires additional care and caution when opening every package, letter, envelope and document for processing. Mr. Dragoo contends the Mailroom staff do not just read incoming and outgoing mail but must also analyze and scrutinize each piece for content, hidden messages and contaminants. This also includes screening and listening to "J-Pay," an electronic form of communications provided to the inmates.

For these reasons, Mr. Dragoo asserts his position should be reallocated from the OA 3 class to another class which more accurately describes the scope and level of responsibility of his position.

### **Summary of DOC's reasoning**

DOC asserts the majority of work Mr. Dragoo performs falls within the scope of work at the OA 3 class.

DOC asserts that although Mr. Dragoo performs work which includes similar activities to the Mail-Carrier and Mail-Processing classifications, the majority of his work involves sorting, searching, and reviewing incoming and outgoing offender mail to prevent unauthorized items and information from entering and leaving the facility. DOC asserts this involves performing a variety of clerical tasks to support this function which is more appropriately addressed by the Office Assistant series.

DOC contends the Office Assistant 2 (OA 2) definition more closely matches the work activities of Mr. Dragoo's position but recognizes it does not adequately reflect the level of responsibility and degree of risk of his position. For example, there are risks associated with preventing weapons, drugs and contraband from entering the facility. For these reasons, DOC contends Mr. Dragoo's position is more accurately allocated to the OA 3 level class rather than the OA 2 level.

### **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 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 a classification.

The Class Series Concept for the Office Assistant (OA) series states:

Performs a variety of clerical duties in support of office or unit operations.

The OA class series describes positions which perform a variety of clerical duties in direct support of office or unit-level operations. For example, positions at the Office Assistant 1 (OA1) level perform such tasks as, "copying materials and filing documents into a filing system, posting records, answering telephones, and/or receiving visitors, and distributing mail and other office materials." The typical work examples at the OA1 level describe such tasks as opening and date-stamping incoming mail; learning to sort and route mail within the office; picking up and preparing outgoing mail, and performing other entry level clerical support tasks. At the OA 2 level, positions perform "a variety of routine clerical duties such as processing documents and records," and typical work examples include receiving, sorting, and distributing mail.

However, the purpose of Mr. Dragoo's position is to process mail as a member of the Mailroom staff at SCCC as opposed to the opening and distributing mail within an office or unit setting as intended by this series. Mr. Dragoo uses his knowledge of the United States Postal Services regulations to perform a variety mail services in the SCCC Mailroom.

#### Comparison of Duties to Office Assistant 3 (OA 3)

The Definition for the Office Assistant 3 class states:

Under general supervision, independently perform a variety of complex clerical projects and assignments such as preparing reports, preparing, reviewing, verifying and processing fiscal documents and/or financial records, composing correspondence such as transmittals and responses to frequent requests for information, establishing manual or electronic recordkeeping/filing systems and/or data base files, and responding to inquiries requiring substantive knowledge of office/departmental policies and procedures. Positions may perform specialized complex word processing tasks in a word processing unit or complex rapid data inquiry and/or entry functions.

The Distinguishing Characteristics for this class state:

Assignments and projects are of a complex nature. Independent performance of complex clerical assignments requires substantive knowledge of a variety of regulations, rules, policies, procedures, processes, materials, or equipment. Problems are resolved by choosing from established procedures and/or devising work methods. Guidance is available for new or unusual situations. Deviation from established parameters requires approval. Work is periodically reviewed to verify compliance with established policies and procedures.

Positions typically provide work direction to lower level staff and may assist in training new staff.

Positions allocated to the OA3 level work under general supervision, and independently perform a variety of complex clerical assignments. This includes such tasks as preparing reports, preparing, reviewing, verifying and processing fiscal documents and/or financial records, composing correspondence such as transmittals and responses to frequent requests for

information, establishing manual or electronic recordkeeping/filing systems and/or data base files, and responding to inquiries requiring substantive knowledge of office/departmental policies and procedures. Positions may perform specialized complex rapid data inquiry and/or entry functions.

As part of his mail processing function as a member of the Mailroom staff, Mr. Dragoo spends a portion of his time reviewing incoming and outgoing offender mail to prevent unauthorized items and information from entering and leaving the facility. This aspect of his work involves clerical tasks generally consistent with the OA series such as filing and entering data and offender information into online databases and processing negotiable instruments. However, the overall focus of his position and majority of his work involves receiving, sorting, processing and distributing incoming and outgoing offender mail for the SCCC facility.

The Personnel Resources Board (PRB) has concluded that while one class appeared to cover the scope of a position, there was another classification that not only encompassed the scope of the position, but specifically encompassed the unique functions performed. In Alvarez v. Olympic College, PRB No. R-ALLO-08-013 (2008), the Board held that “[w]hen there is a definition that specifically includes a particular assignment and there is a general classification that has a definition which could also apply to the position, the position will be allocated to the class that specifically includes the position. [See Mikitik v Depts. of Wildlife and Personnel, PAB No. A88-021 (1989).”

The Mail Processing series specifically addresses the primary thrust of his position and scope of work under review in this appeal. Mr. Dragoo uses his knowledge of the United States Postal Services regulations to perform a variety mail services in the SCCC mail services unit. For these reasons, his position should not be allocated to the to the Office Assistant series.

#### Comparison of duties to the Program series

The Class Series Concept for this series states:

Perform work requiring knowledge and experience that is specific to a program. Organize and perform work related to program operations independent of the daily administrative office needs of the supervisor. Represent the program to clients, participants and/or members of the public.

A program is a specialized area with specific complex components and discrete tasks which distinguish it from the main body of an organization. A program is specific to a particular subject. The specialized tasks involve interpretation of policies, procedures and regulations, budget coordination/administration, independent functioning and typically, public contact. Duties are not of a general support nature transferable from one program to another. Performance of clerical duties is in support of incumbent's performance of specialized tasks.

Allocation to the “Program” series requires an assignment of work that is unique and specific to a particular program but not work that is specifically described by another existing class specification. As stated in Alvarez, if there is a class that encompasses the body of work, allocation to the specific class must take primary consideration. Allocation to a “Program” class should only occur when there are no other viable options for allocation. The Mail Processing series specifically address the body of work under review in this appeal. Since these classes specifically describe the scope of work and specific duties performed by Mr. Dragoo, allocating

his position to a class within the Program series is not appropriate. For this reason, Mr. Dragoo's position should not be allocated to a class within the Program series.

Comparison of Duties to Mail Processing – Driver (MP-D)

The Definition for this class states:

Positions at this level independently perform mail services such as delivering, collecting and processing both foreign and domestic mail and resolving routine customer problems. Incumbents configure and operate routine and complex electronic mailing equipment, digital scanning and tracking equipment, and x-ray and biohazard scanners. When delivering and collecting mail, incumbents regularly operate pickup, panel, and other trucks up to one-ton capacity.

Incumbents in this class use their knowledge of the United States Postal Services regulations to perform a variety of mail services in a mail services unit or department. The majority of duties performed by Mr. Dragoo closely meet this Definition.

For example, the primary focus of Mr. Dragoo's position is to deliver, collect, and process all incoming and outgoing mail to the SCCC facility. He operates a variety of mail machines, and provides information and responds to inquiries from inmates who are the mail service customers. He also configures and operates electronic mailing equipment, digital scanning and tracking equipment, and x-ray and biohazard scanners to screen mail as stated in the Definition. When delivering and collecting mail, he operates a van to pick up and deliver mail to the facility's property room, where it is further delivered to the units and distributed by correctional staff. Mr. Dragoo also distributes mail to the administration building for administrative and other staff.

Although the examples of work do not form the basis for an allocation, they lend support to the work envisioned within a classification. The following examples of work are listed under the Mail Processing – Driver class and most relate to the duties he performs:

Processes bulk and individual outgoing mail from departments to foreign and domestic areas that require postage and/or special mailing classifications;

Operates mail equipment such as inserters, folders, trimmers and bursters, tabbers, high-speed address printers, postage equipment address verification systems, small package manifest, and mail management systems;

Inspects, cleans, maintains, and troubleshoots mailing equipment and machines;

Answers inquiries from customers and resolves routine customer problems;

Makes deliveries for commercial surface or air transport services within the facility or local campus;

Determines cost most effective methods for sending mail and packages;

These examples of work are fully consistent with the duties Mr. Dragoo performs. Mr. Dragoo separates staff and offender mail and sorts mail by the work unit's internal designations for the offenders. He processes mail by opening and reviewing offender mail and removing items that

are unable to be delivered per policy. This also includes drug testing mail suspected of being impregnated with drugs. He also performs specialized processing of mail that meets the DOC Policy definition of Legal Mail. This includes identifying mail as legal mail and forwarding bona fide legal mail items to the legal mail officer within the Mail Room for further processing. His duties also require determining the most effective methods for sending mail and packages.

Mr. Dragoo's responsibilities include charging the postage meter for amounts up to \$5000.

The overall scope and focus of this work are appropriately aligned within the Mail Processing - Driver class.

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).

Based on the information provided and the discussion held during the Director's review conference, it is clear Mr. Dragoo has an important role in processing mail which includes performing certain clerical support tasks to ensure the safety of the SCCC facility. However, a position review is not an evaluation of performance. Likewise, it does not reflect an individual's ability to perform higher-level duties. Rather, a position review is limited to the duties and responsibilities assigned to a position and how the majority of those duties best fit the available job classifications. Based on the overall assignment of work, the Mail Processing – Driver classification best describes his position. Mr. Dragoo's position should be reallocated to that class.

### **Appeal Rights**

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides in relevant part, the following:

The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, WA 98504-0911. 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 PRB Office is located on the 4<sup>th</sup> floor of the Insurance Building, 302 Sid Snyder Avenue SW, Olympia, Washington, 98501-1342. The main telephone number is (360) 902-9820, and the fax number is (360) 586-4694.

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

c: Mark Dragoo, DOC  
Ronny Matsen, Teamsters, 117  
Nicole Baker, DOC  
Lisa Skriletz, OFM

Enclosure: List of Exhibits

**MARK DRAGOO v DOC**  
**ALLO-12-072**

A. Mark Dragoo Exhibits

1. Director's Review appeal received December 19, 2012 (2 pages)
2. Listing of duties (3 pages)
3. November 26, 2012 DOC allocation determination letter (6 pages)
4. Argument for reallocation to a proposed new classification called Correctional Mail Investigator (2 pages)
5. Position Description filled out for a proposed new classification called Correctional Mail Investigator signed by Mark Dragoo and Sgt. Cheryl Sullivan January 28, 2013 (5 pages)
6. Appeal Presentation booklet submitted by Ronny Matsen

B. DOC Exhibits

1. November 26, 2012 DOC allocation determination letter (6 pages)
2. Position Review Request submitted to Stafford Creek Corrections Center HR October 11, 2012 (7 pages)
3. Position Description form submitted for reallocation December 7, 2011 (5 pages)
4. Current position description on file December 18, 2006 (5 pages)
5. Organizational chart for SCCC Regular Day Off Program Lieutenant and reports
6. Interview notes for Sgt. Cheryl Sullivan, supervisor November 14, 2012 (2 pages)
7. Policy DOC 450.100 – Mail for Offenders (revised 7/25/11) (16 pages)
8. Policy DOC 450.100 Attachment 1 – Unauthorized Mail (revised 7/11) (5 pages)
9. Mail Rejection Notice form, DOC
10. Final response email dated November 22, 2013 from Nicole Baker to Kris Brophy regarding appeal presentation booklet, exhibit A-6

C. Class Specifications

1. State HR Class specification for Office Assistant 2
2. State HR Class specification for Office Assistant 3
3. State HR Class specification for Mail Carrier-Driver
4. State HR Class specification for Mail Processing-Driver