



**STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT**

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
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October 4, 2013

TO: Suzanne Taloa-Hickey

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

SUBJECT: Suzanne Taloa-Hickey v. Department of Social and Health Services (DSHS)
Allocation Review Request ALLO-13-015

Director's Determination

As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the verbal comments provided by both parties during the review telephone conference. Based on my review and analysis of your assigned duties and responsibilities, I conclude the correct allocation for your position is the Developmental Disabilities Administrator classification.

Background

On December 14, 2012, the Classification and Compensation Unit at DSHS received a management-initiated updated Position Description form (PDF) for your position, number LX 95-70127918, from the Aging & Disabilities Services Administration. Mr. Dickson conducted a position review and by letter dated January 9, 2013, notified you that your position was being reallocated from the Developmental Disabilities Administrator (DDA) class to the Social and Health Program Consultant 4 (SHPC 4) classification.

On February 7, 2013, the State HR Division received your request for a Director's review of DSHS's allocation determination.

On July 16, 2013 I conducted a Director's review telephone conference concerning the allocation of your position. You and Mr. Lester Dickson, Classification and Compensation Specialist DSHS, participated in the telephone conference call. Kris Brophy, Human Resource Consultant 4, OFM also participated as an observer. During the review conference I requested copies of organizational charts which were received on October 2, 2013.

Summary of Ms. Taloa-Hickey's Perspective

You assert that the SHPC 4 class does not represent the level of responsibility assigned to your position. You contend that all of the other positions within the Division of Developmental

Disabilities (DDD) in the SHPC 4 class are considered subject matter experts but do not have responsibility for overseeing and monitoring the H51 budget, which is the largest budget DDD currently operates (\$153,844,000). You also contend other SHPC 4 positions do not have responsibility for supervising staff, which is inconsistent with your responsibility for supervising ten staff.

You contend there are three individuals (including yourself) who are in the State performing the same work with the same position description. You assert, however, that none of the positions are in the same class and that each of you is paid a different salary. You contend your position is equivalent to the Quality Assurance Manager (i.e. a WMS position) and that your position should be reallocated to a class that more appropriately aligns with that classification.

Summary of DSHS's Reasoning

DSHS asserts the SHPC 4 class is the best fit for the duties assigned to your position.

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

The purpose of your position is to oversee the development and implementation of residential services for eligible clients within your assigned region. Your position ensures quality service delivery and financial accountability of contracted residential service providers including Supported Living, Companion Home, Group Home and Group Training Home services. Within your region, you are responsible for developing, implementing and monitoring community residential services including the Nurse Delegation Program. Your position supervises ten staff that are responsible for completing annual rate assessments of clients receiving residential services and participating in overseeing corrective action plans for meeting established residential care standards.

The revised Position Description Form (PDF) (Exhibit B-2) submitted for your position describes your assigned duties and responsibilities as follows:

65% Program Management Activities

- Plan and implement services for division clients, organizing resources in the most effective, efficient way
- Develop, plan, implement and monitor contracted residential services, including Supported Living, Companion Home, Group Home and Group Training Home services
- Manage the Nurse Delegation Program

- Assist in regional planning and implementation of budget reductions or reorganizations as needed
- Oversee the annual budget of H51 for all of the regions, including both adult and children's residential services; deliver services within regional allotments; review and approve each rate; and ensure staff are skilled and knowledgeable in the rate assessment process
- Oversee corrective action follow up of regional Companion Home Program
- Oversee monitoring of residential services contracts
- Serve as the designee signing authority for regional Exceptions to Policy (ETP) and Rule (ETR); Prior Approvals; and client expenditure requests
- Conduct investigations as required by supervisor; prepare preliminary findings; develop and monitor Corrective Action Plans
- Consult on individual cases and complex problems/issues with clients and/or service providers; and in the absence of unavailability of the Field Services Administrator, may assume those duties and responsibilities as directed

25% Supervisory Activities

- Design and direct the work activities of the Resource Management unit/team; set goals and priorities
- Monitor and assign caseloads and other work assignments
- Recruit and conduct interviews; make hiring recommendations to the Appointing Authority
- Provide performance feedback to subordinate staff on an ongoing basis, including corrective action as needed
- Conduct timely and effective performance appraisals of all staff; and
- Authorize leave and travel

15% Communication and Collaboration

- Understand and interpret the DSHS/DDD mission, program policies and procedures, WAC and other regulations to staff, clients, families, service providers and other interested groups
- Respond to inquiries from the public, other department administration/divisions
- Compose professionally cogent and grammatically correct correspondence
- Respond to voice mail and email messages as soon as possible per established policy
- Respond to emergencies, projects, extraordinary incidents or work tasks that require employee response
- Represent DDD and participate in agency meetings as required, demonstrate cooperative and professional communication skills
- Proficient in computer and software, including MS Word, Excel, Access, Outlook, SharePoint and ADSA's CARE system

- Conduct public presentations to a variety of audiences
- Attend team meetings, trainings, conferences, and workshops as required
- Organize the work environment and prioritize work assignments to meet timelines and/or other priorities
- Effectively utilize interpreters and other alternate means of communication; and
- Participate on statewide workgroups as assigned, involving planning, policy development, system development, etc.

Supervisor's Comments

Ms. Michelle Bauchman, Regional Administrator, is your supervisor. Ms. Bauchman completed the supervisor's portion of the PDF and agrees that the information provided describing your assigned duties and responsibilities is accurate and complete.

Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations.

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).

Comparison of Duties to Social & Health Program Consultant 4 (SHPC 4)

The Definition for this class states:

(1) Serves as a designated specialist for client eligibility for social services, the training of staff who conduct client eligibility assessments, and the monitoring of staff and staff processes in meeting state and federal policies and regulations. Conducts quality assurance audits and reviews responses to quality assurance audits, as necessitated by legal, statutory, or legislative requirements. Reviews and approves corrective action plans.

OR

(2) Oversees the intake and coordination of client cases to include acting as the liaison with internal DSHS entities and external entities such as law enforcement, the courts, attorneys, and community-based social service organizations, and monitors these cases through the abuse, neglect, or financial exploitation hearings process to ensure the health, safety, and well-being of vulnerable children and adults

There are no Distinguishing Characteristics for this class.

The overall focus and scope of your position does not fit within the Definition of this class. Your position does not meet the intent of the first option under the Definition of this class as the thrust of your position is directed more toward administering resource management services including managing a regional case management services budget, and supervising professional developmental disabilities resource managers rather than performing the duties of a Social and Health Program Consultant.

For example, the focus of your position does not involve serving as a consulting specialist regarding determining client eligibility for social services, nor do you train staff who conduct client eligibility assessments. Although your position participates in investigations of residential service provider complaints and other issues, you do not have primary responsibility for conducting quality assurance audits and review responses in accordance with legal, statutory, or legislative requirements. Those tasks are performed by the Quality Assurance staff working within your assigned region. And while you participate in reviewing corrective action plans from client providers, you do not have responsibility for approving corrective action plans and performing this function from a regulatory perspective as a function of your position. Additionally, the focus of your position does not meet the second part of the definition involving overseeing the intake and coordination of client cases.

In total, the overall focus of your position, and the thrust of your duties as a whole do not meet the intent of the SHPC 4 class. For these reasons, your position should not be allocated to this class.

Comparison of Duties to Developmental Disabilities Case/Resource Supervisor

The Definition for this class states:

Supervises professional developmental disabilities case/resource managers and provides case management services for developmentally disabled clients in a region; or, plans, develops, and conducts all of the utilization review, mental retardation program functions for ICF/MR facilities in one of six DSHS regions; or has primary coordination responsibility for all resource management for a region and performs selected resource management functions.

This class generally describes your responsibility for supervising developmental disabilities resource managers and providing resource management services within your region. It also addresses your responsibility for assigning work and directing the activities of your resource management staff in coordinating, arranging and monitoring contracts with providers and coordinating planning and DD resource development activities within your assigned region.

This class also addresses the scope of your responsibility for formulating internal operational policies and procedures such as working in concert with quality assurance staff in conducting audit follow-up activities and reviewing corrective action plans, conducting special projects and assigning operations. It also addresses your responsibility for planning, training, coordinating, and evaluating the work of your assigned DD Resource Managers.

However, this class does not adequately address the broader scope and level of responsibility of your position in performing higher level management functions within your region including managing your regional case management services budget, representing your regional administrator in their absence, and performing other higher level technical and administrative management functions. In total, the overall focus and level of responsibility of your position

reaches beyond the requirements of this class and for these reasons your position should not be allocated to the Developmental Disabilities Case/Resource Supervisor class.

Comparison of Duties to Developmental Disabilities Administrator (DDA)

The Definition for the Developmental Disabilities Administrator class states:

Within the Division of Developmental Disabilities, directs and supervises a unit of DD Specialists in a DSHS region and is the primary representative of the DDA 2 regional administrator in their absence; or within a DD Residential Habilitation Center (RHC), supervises and directs professionals and paraprofessionals within a Program Area Team (PAT); or within a DD RHC and on a facility-wide basis, leads the Institution for the Mentally Retarded (IMR) audit team, composed of at least two Habilitation Plan Administrators, in the coordination of the quality assurance process for compliance with IMR and other standards to assure compliance with Federal and State policies, procedures, regulations, and laws.

This class does not contain distinguishing characteristics; therefore we can look to the typical work statements for guidance. The typical work for this class states:

Assigns, supervises and evaluates out-station managers and regional office supervisors; maintains responsibility for DD specialist staff offices throughout the region; responsible for disciplinary matters and processing of staff grievances;

Implements policy and service requirements for client eligibility, individual program plans, placement, use of generic and specialized community services, program follow-along services;

Provides consultation for staff; assures delivery of services to clients as indicated in IPP;

Reviews and coordinates staff proposals for training to parents, facility operators, providers and others who serve the agency's clients;

Manages regional case management services budget; prepares budget and staffing requests;

Maintains cooperative working relationship with developmental disabilities vendors, resource management staff, other DSHS and community agencies to ensure proper coordination of resources and continuity of services to clients;

Develops and directs implementation of regional policies for direct service delivery; interprets and monitors State policies for day-to-day operation of region;

Performs administrative reviews of case decisions when disputes arise, determines when decisions are to be reversed and serves as or supervises the Fair Hearing Coordinator; may grant exceptions relative to several programs;

Responds to inquiries and conducts investigations called for from higher authorities;

Maintains relationships with parents, advocates and constituency groups and carries out effective public relations for the agency;

Interviews and recommends candidates for staff positions to the appointing authority (Regional Program Representative);

Provides appropriate data on unmet client needs to the Regional Program Representative for inclusion in the regional planning process;

May serve as acting Regional DD Administrator in the latter's absence

As a whole, this class more accurately describes the overall scope and level of responsibility assigned to your position. The definition of this class more accurately describes your responsibility of working within the Division of Developmental Disabilities to direct and supervise a unit of DD Resource Managers in region 3 and serving as the primary representative of the DDA 2 regional administrator in their absence.

Your duties include a broader scope of responsibility as described in this class including managing the approximately \$154 million dollar regional case management services budget and performing other management functions including maintaining responsibility for DD Resource Management specialist staff throughout the region including handling disciplinary matters and processing of staff grievances. This also includes implementing regional policies for direct service delivery and interpreting and monitoring State policies for day-to-day operation of your region. You may also represent the Regional DD Administrator in their absence.

You also provide consultation to regional and other staff regarding resource management services, reviewing and coordinating staff proposals and providing training to parents, facility operators, providers and others.

You also maintain cooperative internal and external working relationships with internal staff, developmental disabilities vendors, resource management staff, other DSHS and community agencies to ensure proper coordination of provider resources and continuity of services to clients. This class also addresses your responsibility for responding to inquiries and conducting investigations called for from higher authorities or as part of the quality assurance audit process.

In total, this class more accurately describes the scope, level and diversity of duties assigned to your position.

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).

A position's allocation is not a reflection of performance or an individual's ability to perform higher-level work. Rather, it is based on the majority of work assigned to a position and how that work best aligns with the available job classifications. Based on the level and scope of the overall duties and responsibilities assigned to your position, the DDA class is the best fit. Your position should be reallocated to the Developmental Disabilities Administrator class.

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 4th floor of the Insurance Building, 302 Sid Snyder Avenue SW, Olympia, Washington. 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: Lester Dickson, DSHS HR
Lisa Skriletz, SHRD OFM

Enclosure: List of Exhibits

SUZANNE TALOA-HICKEY v DSHS
ALLO-13-015

List of Exhibits

A. Suzanne Taloa-Hickey Exhibits

1. Letter requesting Director's Review received February 7, 2013 (1 page)
2. Allocation determination letter from Lester Dickson to Suzanne Taloa-Hickey dated January 9, 2013 DSHS

B. DSHS Exhibits

1. Ms. Taloa-Hickey's Allocation determination letter, dated January 9, 2013
 2. PDF submitted by management for reallocation received in CCU December 14, 2012 (5 pages)
 3. Organizational Chart (1 page)
 4. Assessment of Observed Job Performance, January 3, 2013
 5. State HR class specification for Developmental Disability Administrator, 351X
 6. State HR class specification for Social and Health Program Consultant 4, 349H
- Exhibits submitted after the telephone conference review:
7. Email from Lester Dickson to Teresa Parsons dated September 6, 2013 submitting organization chart for Region 1, DDD
 8. Email from Lester Dickson to Teresa Parsons dated September 19, 2013 submitting organization chart for Region 2, DDD
 9. Email from Lester Dickson to Teresa Parsons dated October 2, 2013 submitting organization chart for Region 1 North and Region 1 South.