



**STATE OF WASHINGTON  
OFFICE OF FINANCIAL MANAGEMENT**

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

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

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

SUBJECT: Denise Pech v. Department of Social and Health Services (DSHS)  
Allocation Review Request ALLO-13-019

**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 the assigned duties and responsibilities, I conclude the correct allocation for Ms. Pech's position is the Developmental Disabilities Administrator classification.

**Background**

On December 21, 2012, the Classification and Compensation Unit at DSHS received a management-initiated updated Position Description form (PDF) for Ms. Pech's position. Mr. Dickson conducted a position review and by letter dated January 16, 2013, notified Ms. Pech that her position was being reallocated from the Developmental Disabilities Administrator (DDA) class to the Social and Health Program Consultant 4 (SHPC 4) classification.

On February 15, 2013, the State HR Division received Ms. Pech's request for a Director's review of DSHS's allocation determination.

On September 11, 2013 I conducted a Director's review telephone conference concerning the allocation of Ms. Pech's position. Ms. Pech and Mr. Lester Dickson, Classification and Compensation Specialist DSHS, participated in the telephone conference call.

**Summary of Ms. Pech's Perspective**

Ms. Pech asserts that the SHPC 4 class does not represent the level of responsibility assigned to her position. Ms. Pech contends 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 subgroup managed by DDD. Ms. Pech contends that the other SHPC 4 positions do not have H51 budgetary nor supervisory responsibility.

Ms. Pech contends there are three individuals (including her) who are in the agency performing the same work with the same position description. Ms. Pech asserts, however, that none of the positions are in the same class and that each is paid a different salary. Ms. Pech contends her position is equivalent to the Quality Assurance Manager (i.e. a WMS position) and that her 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 Ms. Pech's 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 Ms. Pech's position is to oversee the development and implementation of residential services for eligible clients within her assigned region. Ms. Pech's 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 her region, Ms. Pech is responsible for developing, implementing and monitoring community residential services. Ms. Pech's position supervises approximately eight professional and administrative 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, and performing other administrative and technical support functions.

The revised Position Description Form (PDF) (Exhibit B-2) submitted for Ms. Pech's position describes Ms. Pech's assigned duties and responsibilities as follows:

#### **55% 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
- Assist in regional planning and implementation of budget reductions or reorganizations as needed
- Oversee the annual budget of H51 (community residential services) for all of the region, 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
- Orient, train and mentor new staff
- 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
- Be 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. anita delight, Regional Administrator, is Ms. Pech's supervisor. Ms. delight completed the supervisor's portion of the PDF and agrees that the information provided describing her 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 Ms. Pech's position does not fit within the Definition of this class. Ms. Pech's position does not meet the intent of the first option under the Definition of this class as the thrust of Ms. Pech's 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 Ms. Pech's position does not involve serving as a consulting specialist regarding determining client eligibility for social services, nor does Ms. Pech train staff who conduct client eligibility assessments. Although Ms. Pech's position participates in investigations of residential service provider complaints and other issues, Ms. Pech does 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 Ms. Pech's assigned region. While Ms. Pech participates in reviewing corrective action plans from client providers, she does not have responsibility for approving corrective action plans and performing this function from a regulatory perspective as a function of her position. Additionally, the focus of Ms. Pech's 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 Ms. Pech's position and the thrust of her duties as a whole do not meet the intent of the SHPC 4 class. For these reasons, Ms. Pech's 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 Ms. Pech's responsibility for supervising developmental disabilities resource managers and providing resource management services within the region. It also addresses Ms. Pech's responsibility for assigning work and directing the activities of resource management staff in coordinating, arranging and monitoring contracts with providers and coordinating planning and DD resource development activities within the assigned region.

This class also addresses the scope of Ms. Pech's 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 Ms. Pech's responsibility for planning, training, coordinating, and evaluating the work of her assigned DD Resource Managers.

However, this class does not adequately address the broader scope and level of responsibility of Ms. Pech's position in performing higher level management functions within the region including managing her regional case management services budget, representing regional administrators in their absence, and performing other higher level technical and administrative management functions. In total, the overall focus and level of responsibility of Ms. Pech's position reaches beyond the requirements of this class and for these reasons her 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 Ms. Pech's position. The definition of this class more accurately describes Ms. Pech's 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 3 regional administrator in their absence.

Ms. Pech's duties include a broader scope of responsibility as described in this class including managing the approximately \$82 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 Ms. Pech's region. Ms. Pech may also represent the Regional DD Administrator in his absence.

Ms. Pech also provides 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.

Ms. Pech also maintains 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 Ms. Pech's 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 Ms. Pech's 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 Ms. Pech's position, the DDA class is the best fit. Ms. Pech's 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 4<sup>th</sup> 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: Denise Pech  
Lester Dickson, DSHS HR  
Lisa Skriletz, SHRD OFM

Enclosure: List of Exhibits

**DENISE PECH v DSHS**  
**ALLO-13-019**

List of Exhibits

A. Denise Pech Exhibits

1. Letter requesting Director's Review from Denise Pech received February 15, 2013

B. DSHS Exhibits

1. Allocation determination letter from Lester Dickson to Denise Pech, dated January 16, 2013
2. PDF submitted by management for reallocation received by DSHS-HRD December 21, 2012
3. DDD 3 Region 3 Organizational Chart
4. DSHS copy of Class Specification for Developmental Disability Administrator, 351X
5. DSHS copy of Class Specification for Social and Health Program Consultant 4, 349H

C. Director's Exhibits

1. State HR Class Specification for Developmental Disability Administrator, 351X
2. State HR Class Specification for Social and Health Program Consultant 4, 349H