



STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT

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

TO: Mark Manning
Teamsters

FROM: Holly Platz, SPHR
Director's Review Program Investigator

SUBJECT: Ricardo Flores v. Department of Corrections (DOC)
Allocation Review Request ALLO-13-044

This position review is based on the work performed for the twelve-month period prior to May 6, 2013, the date the Monroe Correctional Complex (MCC) Human Resources (HR) office received the request for a position review submitted by Mr. Flores. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the verbal comments provided by all parties during the review telephone conference. Based on my review and analysis of Mr. Flores' assigned duties and responsibilities, I conclude that his position is properly allocated to the Electronics Technician Supervisor classification.

Background

At the time relevant to this request, Mr. Flores was responsible for maintaining electronic safety and security systems at the Monroe Correctional Complex. Mr. Flores worked primarily in Washington State Reformatory (WSR). The security systems Mr. Flores maintains consist of approximately 78 client computers, 10 servers and 30 DVRs and related equipment. The security systems include a network of computers, security cameras, DVRs and NVRs, radios, locking mechanisms and some telecommunications equipment. These are vital electronic systems that control access, surveillance, safety and communications in the facility.

DOC HR Classification unit conducted a position allocation review after receiving Mr. Flores' position review request (PRR) form. (Exhibit B-2). Mr. Flores asked that his position be reallocated to the Information Technology Specialist 3 (ITS3) class. By letter dated June 13, 2013, DOC HR notified Mr. Flores' that his position was properly allocated to the Electronic Technician Supervisor classification. (See Exhibit A-2).

On July 2, 2013, the Office of the State HR Director received Mr. Flores' letter requesting a Director's review of DOC's reallocation determination (Exhibit A-1).

Mr. Flores' Director's review telephone conference was consolidated with the conference for the request filed by Chad Starkenburg. I conducted the consolidated Director's review telephone conference on November 20, 2013. Present during the conference were you; Mr. Starkenburg;

Mr. Flores; Regan Landis, Consolidated Facilities Manager for MCC; Sarah Conley, Human Resource Consultant for DOC; and Cathy O'Bryan, Human Resource Consultant for MCC.

Summary of Employees' (Mr. Flores and Mr. Starkenburg) Perspectives

The employees contend that with the advent of technology, their duties and responsibilities have moved into the IT realm and that while electronic technician work is still performed at the facility, their work has evolved to where they primarily perform IT duties. The employees argue that they design, program, install, troubleshoot and maintain security applications, networks and related equipment. The employees assert they are responsible for and provide application support for IP addressable equipment and schemas for two separate systems that include cameras, computers, switches and servers as well as legacy analog equipment and large, complex databases. The employees explain that they do the layout and installation of all cameras which includes installing the wiring and system equipment, setting the IP addresses for the cameras and installing the equipment on the servers. In order to have everything work properly, the employees assert that they program everything they install. They research and choose an IP address from a list of available addresses and if necessary, they check with DOC's Information Technology staff to assure they can use the address before the addresses are applied. They also maintain the schema which includes a list of the devices used, the ports used and the IP addresses assigned. The employees use various software programs for security systems, some of which require them to manually update software and apply patches to assure the systems work. While the employees do not write programs, they argue that they develop network security applications and on occasion correct program strings. As an example, Mr. Starkenburg explained that the whole door system went down and when it came back up some of the programming was wrong and he had to correct the string. The employees assert that they regularly work on IT projects and are involved in capacity planning and needs assessments which includes analysis of security IT needs and working with contractors and vendors. When equipment needs to be replaced or repaired, the employees use equipment they have in stock or request the purchase of new equipment. Mr. Flores explained that he regularly reimages computers and performs hardware hot swaps to recover secure networks and keep the system operational. The employees assert that the majority of their duties and responsibilities go beyond maintaining a computerized infrastructure as described in the ET4 class and are clearly IT duties necessary for support of entire networks including computers.

Summary of DOC's Reasoning

DOC recognizes that technologies change over time but maintains the scope of work assigned to the employees' positions fits within the Electronics Technician class series. DOC argues that the IT work the employees perform is encompassed in the ET4 classification and that their IT work is secondary to their work in the ET field. DOC explains that Mr. Flores and Mr. Starkenburg support the electronic safety and security systems through the application of IT systems which falls within the ET4 classification. DOC explains that IT staff take care of staff computers and networks and the ET staff take care of the security system which includes the security system network. In regard to the employees' role in purchasing equipment, DOC explains that the employees submit purchase requests to the Consolidated Facilities Manager who reviews the request. The request is then reviewed by the facility business agent and if the request is for IT equipment, the request is reviewed by the DOC's IT committee. The committee approves purchase of all IT equipment. DOC contends the employees' positions exist to support safety and security systems at the facility by ensuring the vital electronic systems of the facility that control access, security, surveillance, safety, communication and sanitation are operational. DOC asserts that the employees use computer technology as a tool to accomplish their tasks.

DOC recognizes that the employees use advanced hardware and software diagnostic tools and system diagnostics but argues that these tools are used to accomplish work encompassed by the ET class series. DOC asserts that the employees are responsible for maintaining a computer infrastructure to operate electronic systems including security workstations, fences, doors, gates, intercoms, alarm, fire and video systems and that the purpose of their positions is not to perform IT duties. In their responses to the Mr. Flores' and Mr. Starkenburg's review requests (Exhibits B1), DOC describes the majority of employees' work as involving the use of "knowledge of theory and operational principles of the electronic systems, equipment and tools, required to support the layout, construction and installation of electronic and safety equipment." DOC describes the employees' duties as troubleshooting, maintaining, repairing and testing analog and digital electronic equipment; delivering and installing equipment, calibrating test equipment and implementing and evaluating workflow priorities. DOC believes the Electronics Technician class series is the best fit for the overall duties and responsibilities assigned to Mr. Flores' position and that because he is the sole ET Supervisor at the facility, his position is properly allocated to the Electronics Technician Supervisor classification.

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).

Part of Mr. Flores' argument is the allocation of a similar position at the DOC facility located on McNeil Island. However, the Personnel Resources Board, has previously determined that although a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a position. Byrnes v. Dept. Corrections, PRB No. R-ALLO-06-005 (2006) citing Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

The employees also commented that the state of Oregon adopted classes that specifically address the type of work that they perform and they argued that they are not compensated at a rate commensurate to the work that they perform. The Personnel Resources Board has addressed both of these issues in relation to the allocation process. The Board stated, "[t]he allocation process is not the proper forum to address additional compensation beyond that which is assigned to a classification. The allocation process is not the proper forum to address the creation of a new classification." Evans v. Dept. of Corrections, PRB Case No. R-ALLO-07-001 (2007).

In his PRR form, Mr. Flores describes the purpose of his position as (Exhibit B-2):

Maintain the Safety and security of the WSRU Correctional facility. This is done by the use of advanced hardware and software diagnostic tools and system diagnostics to identify issue and prevent problems from developing. Analyses and corrects network malfunctions, and replaces faulty network security and

surveillance hardware components (switches, modules, serves, PLC devices etc.).

In brief summary, the majority of duties Mr. Flores' described in the PRR includes installing, testing, trouble shooting and maintaining security and surveillance electronic systems and installing, testing, repairing, programming and maintaining electronic and low voltage systems and sub-systems for building automation, fire, safety, sanitation and telecommunications. He also works with contractors and vendors, prepares purchase orders, maintains inventory of equipment and system schemas and works on capital projects. At the time of the position review request, Mr. Flores supervised three ET4 positions and reported to an ITS3.

Comparison to the Relevant 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.

The class series concept for the **Information Technology** series reads as follows:

Positions in this category perform professional information technology systems and/or applications support for client applications, databases, computer hardware and software products, network infrastructure equipment, or telecommunications software or hardware.

This category broadly describes positions in one or more information technology disciplines such as: Application Development And Maintenance, Application Testing, Capacity Planning, Business Analysis and/or Process Re-Engineering, Data Base Design And Maintenance, Data Communications, Disaster Recovery/Data Security, Distributed Systems/LAN/WAN/PC, Hardware Management And Support, Network Operations, Production Control, Quality Assurance, IT Project Management, Systems Software, Web Development, or Voice Communications.

Positions which perform information technology-related work to accomplish tasks but are non-technical in nature would not be included in this occupational category.

The definition for an **Information Technology Specialist (ITS) 3** states:

In support of information systems and users in an assigned area of responsibility, independently performs consulting, designing, programming, installation, maintenance, quality assurance, troubleshooting and/or technical support for applications, hardware and software products, databases, database management systems, support products, network infrastructure equipment, or telecommunications infrastructure, software or hardware.

Uses established work procedures and innovative approaches to complete assignments and coordinate projects such as conducting needs assessments; leading projects; creating installation plans; analyzing and correcting network

malfunctions; serving as system administrator; monitoring or enhancing operating environments; or supporting, maintaining and enhancing existing applications.

The majority of assignments and projects are moderate in size and impact an agency division or large workgroup or single business function; or internal or satellite operations, multiple users, or more than one group. Consults with higher-level technical staff to resolve complex problems.

In a broad context, the tasks Mr. Flores performs may fit into the Information Technology Specialist classes. As technology advances and many tasks that were once performed by technicians become computerized, many functions and disciplines utilize computers to perform tasks that were once performed using less computerized processes. However, this does not change the purpose or nature of the work being performed. Rather, only the tools being used and the processes necessary to employ those tools have changed. While some aspects of the work performed by Mr. Flores appear to be described by the IT classes, there is another class series that better describes his work and encompasses the purpose of his position.

The Personnel Resources Board has determined that while one class appeared to cover the scope of a position, there was another classification that not only encompasses the scope of the position, but specifically encompassed the unique functions performed. Alvarez v. Olympic College, PRB No. R-ALLO-08-013 (2008). Further, the Board has consistently 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 with the definition that includes the position" Mikitik v Depts. of Wildlife and Personnel, PAB No. A88-021 (1989).

The Board has also held that 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. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

In addition, the Board has stated that, positions are to be allocated to the class which best describes the majority of the work assignment. Ramos v DOP, PAB Case No. A85-18 (1985).

Finally, in making the determination that the IT class series is not the best for Mr. Flores' position, I reviewed prior determinations issued by the State HR Director. The determination that Mr. Flores' position does not best fit the IT class is consistent with prior Director's determinations. See for example: Perez v Dep't. of Corrections, ALLO-11-014 (2011); Fadden v. Dep't of Corrections, ALLO-09-012; Heue v. Dep't of Corrections, ALLO-09-013 (2009); Ferrucci v Dep't of Corrections, ALLO-09-014 (2009); Puckett v. Dep't of Corrections, ALLO-09-023; Huling v Dep't of Corrections, ALLO-09-026.

Electronics Technician is the first level of the ET class series. Class series are intended to be progressive which means that positions allocated to higher levels within the series may also perform the duties found at the lower levels. Reviewing the various levels within a series sets the concept for the series when no class series concept is available.

The definition for the Electronics Technician class states:

Installs, maintains, repairs and tests electrical and electronic systems used in security and alarm surveillance and instructs personnel in the proper operation and minor maintenance of this equipment. [Emphasis added]

The primary focus of Mr. Flores' position falls within the scope of the Electronics Technician series as stated by the definition of the ET class. The ET class series specifically addresses positions that install, maintain, repair and test electrical and electronic systems used in security and alarm surveillance which is the purpose and focus of Mr. Flores' position.

In addition, a previous decision by the Personnel Appeals Board provides guidance as to the type of work performed by positions allocated to the Electronics Technician. The PAB determined that:

The specification for the Electronics Technician classification states that incumbents perform skilled journey level work which includes installing, maintaining, repairing and testing electrical and electronic systems used in security and alarm surveillance and instructing personnel in the proper operation and minor maintenance of this equipment. The typical work for this class includes the installation and maintenance of internal security systems, including electronic surveillance systems, and conducting inspections and tests to ensure the security systems are functional. The typical work also includes recommending purchases of security devices, consulting with contractors, and instructing employees in the use and repair of security systems. This class specifically addresses the maintenance and repair of electrical and electronic systems used in security and alarm surveillance such as those used at Fircrest School. Hafzalla v. Dep't. of Social and Health Services, PAB No. ALLO-00-0025 (2001).

This is further supported in the Electronics Technician 2 class specification which is defined in part as performing journey-level work in the "layout, construction and installation of radio communications, electronic and safety equipment. Troubleshoots, maintains, repairs and tests analog, and/or digital electronic equipment. . . ."

Mr. Flores installs, configures, tests, maintains, troubleshoots and repairs systems used for security and surveillance at WSR, as envisioned by the Electronic Technician series.

The definition for the **Electronics Technician 4** states, in relevant part, that positions serve as a lead or senior level technician and perform "work in layout, construction and installation of electronic and safety equipment. Troubleshoots, maintains, repairs and tests, analog, and/or digital electronic equipment. Delivers and installs equipment, calibrate test equipment. Assembles scientific instruments or electronic air monitoring systems. Implements and evaluates workflow priorities. Develops and disseminates instructions and information to unit personnel."

While typical work statements do not form the basis for an allocation, they lend support to the work envisioned within a classification. The following typical work statements from the ET4 class describe Mr. Flores' duties:

Performs shop or field testing, adjustment, troubleshooting and repair (replaces integrated circuits, transistors, resistors, capacitors, etc.) of electronic systems,

equipment and devices; constructs, calibrates, designs, develops and/or modifies electronic instrumentation;

Fabricates and tests . . . electronic circuitry in accordance with schematics and diagrams; improvises as the job requires;

Provides technical assistance, advises and instructs personnel from the department, other agencies, and the public in the use and maintenance of electronic instrumentation systems and devices;

Keeps records of work performed and supplies used; orders supplies as needed;

Troubleshoot, repair, maintain, calibrate, and test mechanical, electro-mechanical, analog and/or digital equipment or apparatus . . . ;

Isolate problem(s) including using and/or creating diagnostic software as needed to locate malfunction(s); perform mechanical, electro-mechanical, or electronic repair(s); perform electronic repairs to system, board, or component level; calibrate and/or test for proper operation;

Assist and/or oversee vendor warranty repairs;

Following general description of functions and schematics from professional and technical personnel, construct electronic equipment such as computer-interfaced prototypes, microprocessor controlled devices, or test instruments; generate block diagram(s), design relevant circuits and circuit board layout, write software to drive microprocessor(s), and select components; . . . test, debug, and modify as necessary to ensure proper operation; prepare appropriate documentation such as parts layout, schematic(s), and calibration procedure;

Develop inventory lists; order, stock, catalog and store electronic components such as transistors, resistors, circuit boards, capacitors, inductors, tubes, connectors, etc;

Confer with faculty, staff, clients, vendors, students, and/or supervisors in determining equipment problems or fulfilling service requests;

May maintain technical reference library and maintain database files for equipment inventory;

May perform incidental maintenance or repair on computers.

The definition for the **Electronic Technician Supervisor** states, in relevant part: “[s]upervise assigned personnel and direct the operation of an electronics facility. . . .” Mr. Flores supervises assigned personnel and performs work of lower ET classes in the series such as configuring, testing, maintaining, and repairing electronic systems used for surveillance and security, maintaining schemas which facilitate workflow and providing instruction to others such as inmates and staff. The duties and responsibilities of Mr. Flores’ position are envisioned by the definition of the ET Supervisor class.

It is clear that Mr. Flores takes pride in his work, that he has sought additional training to enhance his skills, and that he goes the extra mile to assure that the safety and security systems operate optimally. A position’s allocation does not diminish the importance or quality of work performed and is not a reflection of an employee’s dedication or performance. Rather, an allocation is based on the majority of work assigned to a position. The level, scope and diversity

of the overall duties and responsibilities assigned to Mr. Flores' position best fit the Electronics Technician Supervisor classification.

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: Ricardo Flores, DOC
Sarah Conly, DOC-HR
Cathy O'Bryan, MCC-HR
Lisa Skriletz, SHR

Enclosure: List of Exhibits

RICARDO FLORES v DOC
ALLO-13-044

List of Exhibits

A. Ricardo Flores Exhibits

1. Letter requesting Director's Review received July 2, 2013 (4 pages)
2. June 13, 2013 DOC allocation determination letter (4 pages)

B. DOC Exhibits

1. Allocation determination letter, June 13, 2013
2. Position Review Request requesting reallocation signed by the incumbent and supervisor, submitted May 6, 2013
3. Current Position Description on file, September 13, 2010
4. MCC Maintenance Department Organizational Chart May 7, 2013
5. Supervisor CS34 IT Specialist 3 Position Description, February 16, 2012
6. Electronic Technician Classification Specification 592W
7. Electronic Technician 4 Classification Specification 592M
8. Electronic Technician Supervisor Classification Specification 592N
9. IT Specialist 2 Classification Specification 479J
10. IT Specialist 3 Classification Specification 479K