



**STATE OF WASHINGTON**  
**OFFICE OF FINANCIAL MANAGEMENT**

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM  
P.O. Box 40911 · Olympia, WA 98504-0911 · (360) 407-4101 · FAX (360) 586-4694

June 24, 2014

TO: Scott Smriga, Council Representative  
Washington Federation of State Employees (WFSE)

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

SUBJECT: Tammy Cain v. Department of Social & Health Services (DSHS)  
Allocation Review Request ALLO-13-064

On April 22, 2014, I conducted a Director's review conference regarding the allocation of Tammy Cain's position. You and Ms. Cain were both present for the conference. Candice Mathew, a WorkSource volunteer at the time relevant to Ms. Cain's request, was also present for the conference. Lester Dickson, Classification & Compensation Specialist, represented DSHS.

**Director's Determination**

This position review was based on the work described on Ms. Cain's Position Description Form (PDF) submitted to DSHS's Classification & Compensation Unit on January 30, 2013. As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review conference, and the verbal comments provided by both parties. Based on my review and analysis of Ms. Cain's assigned duties and responsibilities, I conclude her position is properly allocated to the Forms & Records Analyst 3 (F&RA 3) classification.

**Background**

Ms. Cain's (Fryar's) position #TF37 is assigned to the Finance & Operations Support Division (FOSD) within Children's Administration at DSHS. Prior to June 2011, Ms. Cain had been working in a Fiscal Analyst 2 (FA 2) position located in Yakima. In June 2011, she moved to the Headquarters location to temporarily perform work coordinating the imaging of Children's Administration (CA) files into the Management Operation Document Imaging System (MODIS). MODIS is an agency-wide electronic storage system.

On January 30, 2013, DSHS's Classification & Compensation Unit received a management-initiated reallocation request for Ms. Cain's position. Ms. Cain's supervisor, James Reddick, Federal Funding Program Manager, and Dan Ashby, FOSD Director within Children's

Administration, both signed a PDF asking that her FA 2 position be reallocated to the Forms & Records Analyst (F&RA) Supervisor classification (Exhibit B-2).

Mr. Dickson conducted a desk audit on April 8, 2013, and met with Ms. Cain's immediate supervisor, Ms. Reddick, and her second-line supervisor, Mr. Ashby, on May 28, 2013. On July 24, 2013, Mr. Dickson determined the Forms & Records Analyst 3 (F&RA 3) classification best described the duties and responsibilities of Ms. Cain's position. In his decision, Mr. Dickson recognized that Ms. Cain supervised an Office Assistant 2 position and "managed a crew of approximately eight individuals from the Employment Security Department WorkSource Community Partners, who [were] not employees of DSHS." Because Ms. Cain had not supervised staff in the F&RA classification at the time of her position review, Mr. Dickson concluded the F&RA Supervisor class was not the best fit (Exhibit B-1).

On August 20, 2013, Ms. Cain requested a Director's review of DSHS's allocation determination (Exhibit A-1).

### **Summary of Ms. Cain's Perspective**

Ms. Cain asserts she supervises positions performing Forms & Records Analyst work. Ms. Cain states that she supervises one Office Assistant 2, who is a DSHS employee, and several Forms & Records Analyst trainee positions from WorkSource. Ms. Cain contends she trains staff obtained from WorkSource to acquire skills and perform work comparable to positions in the Forms & Records Analyst 1 class. Although the positions performing forms and records analyst work are considered WorkSource Community Partner staff, Ms. Cain contends she interviews these staff members, completes background checks, confidentially agreements, volunteer registration, and writes monthly evaluations of their progress. Ms. Cain further asserts that she may need to release staff from their duties if they are not performing as expected.

In addition to supervising the work of positions from WorkSource, Ms. Cain contends she supervises the work of forms and records analysts, clerical, and Masterfile clerks in field offices who prepare files for scanning. As such, she asserts that she serves as the liaison between field staff and ISSD and that she sets up procedures for 42 field offices in CA, Division of Licensing Resources (DLR) and DLR/CPS for submitting prepped and unprepped files to Headquarters. Ms. Cain further contends her position is fiscally responsible for the work of transferring closed cases and provider files to a paperless system in MODIS. Ms. Cain contends her position performs all the duties of a working supervisor and that she supervises WorkSource positions as if they were DSHS employees. For these reasons, Ms. Cain asserts her position should be reallocated to the F&RA Supervisor classification.

### **Summary of DSHS's Reasoning**

DSHS acknowledges Ms. Cain supervises one Office Assistant 2 position and provides oversight and training to a team of individuals who help prepare documents and records for scanning into MODIS. DSHS further acknowledges Ms. Cain's supervisor and manager expressed the intent to assign additional full-time DSHS staff to the Imaging Project. However, at the time relevant to Ms. Cain's review, DSHS contends her position had not been assigned the responsibility for supervising other positions allocated to a Forms & Records Analyst classification. Instead, DSHS asserts Ms. Cain oversees and directs the work of volunteer staff from the Employment Security Department WorkSource Community Partners. DSHS also points out the Forms & Records Analyst 3 class allows for supervision of lower level staff.

DSHS recognizes Ms. Cain's work coordinating the preparation of documents and transfer of files into MODIS by working with CA field offices and ISSD. DSHS further recognizes that Ms. Cain has authorization to work with electronic systems and tools such as Thick Client and Bar Code to perform imaging activities, transfer data, and remove or edit documents in MODIS. DSHS asserts the duties and responsibilities assigned to Ms. Cain's position fit the F&RA 3 level of performing records management functions and specializing in two or more system areas. Therefore, DSHS contends Ms. Cain's position is appropriately allocated to the F&RA 3 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).

### **Duties and Responsibilities**

During the Director's review conference, the parties explained that Ms. Cain had moved to Headquarters in June 2011 to coordinate the imaging of client files, provider files, and other Children's Administration (CA) files into the MODIS system. Ms. Cain's work scanning documents into MODIS began as a project, and she worked with DSHS's Information Systems Services Division (ISSD). Staff from the Secretary of State's Office and other positions temporarily helped with the imaging project, which involved cleaning up thousands of case files. As the MODIS Lead, Ms. Cain worked with CA field offices and ISSD to catalog and scan a variety of case-related documents into MODIS as official records (Exhibit B-5).

In late 2012, DSHS contracted with WorkSource Community Partners (Pacific Mountain Workforce Development Council) to accomplish the work of transferring documents into the MODIS system (Exhibit A-7). The partnership also provided opportunities for WorkSource participations to work in internships and learn skills for future employment (Exhibit A-10). In addition to supervising one Office Assistant 2 (OA 2) position, Ms. Cain also trained numerous WorkSource staff on the imaging process, researching documents, and communicating regularly with CA field offices about locating, cataloging, and imaging documents in MODIS. Ms. Cain's PDF describes these duties in the position objective, which includes supervision of positions responsible for performing records management, as well as scheduling, evaluating, and completing reports on CA staff and WorkSource trainee staff (Exhibit B-2).

In addition, Ms. Cain's PDF describes the majority of duties (60%) as supervising positions. In summary, the supervisory responsibilities have been described as hiring F&RA and Office Assistant positions; conducting interviews; developing and providing training; planning and coordinating staff workload and assignments; analyzing, evaluating, and monitoring performance; communicating policies and procedures regarding imaging and assisting CA field staff in locating documents; and mitigating risks of sanctions related to records retention and public records requests.

*As part of the desk audit, Ms. Cain's direct supervisor, Mr. Reddick, sent an email to Mr. Dickson explaining his expectations for Ms. Cain's position. Mr. Reddick's email affirms his intent for her position to supervise other FTEs (full-time equivalents) in addition to the OA 2 position, as well as 8 to 10 volunteers (Exhibit B-4). During the Director's review conference, the parties clarified that at the time relevant to this review period, Ms. Cain supervised the work of one OA 2 and WorkSource volunteer staff but not DSHS employees in the F&RA class series. Her duties supervising the work of WorkSource staff included training, tracking hours of service, scheduling, and sending reports to WorkSource regarding staff members' progress (Exhibit B-4).*

The PDF further describes 25% of Ms. Cain's work as implementing and coordinating agency records management systems to ensure compliance with state records management statutes. The remaining duties on the PDF include solving complex problems regarding electronic files, analyzing records inventory data, and approving records inventory and destruction requests (Exhibit B-2).

During the Director's review conference, Ms. Cain explained the process of getting files ready for imaging. The boxes of records they receive for imaging are either "prepped or unprepped." The prepped files go directly to ISSD. Ms. Cain coordinates with ISSD to image the documents that come in from the field offices. For the unprepped files, Ms. Cain supervises the work of staff who go through and prepare the documents for scanning by removing staples, manipulating post-it notes, correcting damaged paper to feed through the system correctly, preparing photograph records, and setting aside and labeling unique documents that do not fit through the scanner so they can be prepared for the State Records Center.

The work also includes researching, logging, indexing, and tracking records and using and verifying bar codes to locate records. As an example, Ms. Cain manages the SharePoint site for tracking boxes from CA field offices, and she works with ISSD staff to identify records in MODIS that do not match. Part of the duties also involve streamlining case numbers from one system to the next and analyzing documents using systems such as FamLink (case management system) and SSPS (payment system) as well as using tools such as Thick Client for indexing and editing. Ms. Cain's duties and responsibilities also involve coordination with multiple field offices in CA, DLR, and DLR/CPS with ISSD, and she provides training and guidance to field staff as well. Mr. Reddick's email to Mr. Dickson further describes her interaction with field offices, monthly meetings with ISSD imaging managers, participation in the Work Group for future imaging, and support for managing records containing litigation, tort cases, public disclosure, and discovery processes to meet the needs of CA (Exhibit B-4).

### 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 **Forms and Records Analyst (F&RA) Supervisor** definition states the following:

Formulates procedures and supervises analysts within forms design or records management programs.

It is undisputed that Ms. Cain supervises a lower level position and provides oversight and training to WorkSource participants performing both clerical tasks and records analyst functions in a training capacity. There are aspects of her position that align with the F&RA Supervisor class. For example, she formulates procedures for the field offices to follow in coordinating the effort to image paper records and transfer data into the MODIS system. She also trains lower level analysts and agency staff in records management ranging from preparing documents for imaging to indexing and tracking case information for future retrieval. She also plans and coordinates the work of team members assisting her and evaluates the effectiveness of their work, reporting their progress back to WorkSource.

When considering whether Ms. Cain's overall duties and responsibilities fit the F&RA Supervisor classification, I also reviewed the definition of supervisor identified in the State Human Resources Glossary of Classification Terms, which has been defined as follows:

**Supervisor.** An employee who is assigned responsibility by management to participate in all of the following functions with respect to their subordinate employees:

- Selecting staff
- Training and development
- Planning and assignment of work
- Evaluating performance
- Resolving grievances
- Taking corrective action

Participation in these functions is not routine and requires the exercise of individual judgment.

Although Ms. Cain has participated in some of these functions for WorkSource volunteer staff members, and she is a supervisor to the OA 2 position, her responsibilities do not fully meet the intent of supervising subordinate employees in positions allocated to the F&RA class series. In a previous Personnel Resources Board (PRB) decision, the PRB addressed the definition of employee as follows:

. . . [c]onsideration must also be given the definitions found in the civil service rules, Title 357 WAC. In relevant part, WAC 357-01-140 defines an 'employee' as, '[a]n individual working in the classified service' . . . not volunteers or private contractors. Washington State Parks & Recreation Commission v. McCoy, PRB Case No. ALLO-09-017 (2009).

Additionally, the F&RA class series is broadly written to allow lead work or supervision of lower level classes at the F&RA 2 and 3 levels in the series as well. At the F&RA 3 level, positions serve as specialists, management consultants for complex records issues, and oversee the work of subordinate staff. The F&RA 3 typical work examples further indicate that positions may lead or supervise lower level positions. For these reasons, The F&RA 3 classification provides the best overall fit for the duties and responsibilities assigned to Ms. Cain's position at the time relevant to this review.

The **Forms and Records Analyst 3 (F&RA 3)** definition states the following:

Positions at this level are specialists in two or more system areas such as financial records, student records, resident records, and/or health records, or function as a management consultant for complex manual and/or electronic forms and/or records problems, or provide management consultation and determinations on responses to public record requests. Incumbents may oversee the work of subordinate staff and coordinate the day-to-day delivery, distribution, access, maintenance and retention of manual and/or electronic forms and/or records.

Ms. Cain serves as a specialist in two or more system areas as it relates to records management and public disclosure and the transfer of records and data into an electronic storage system of official DSHS, CA records (MODIS). In addition, she oversees the work of subordinate staff, including the forms and records analyst trainee positions from WorkSource, and coordinates the day-to-day delivery, distribution, access, maintenance and retention of paper and electronic records as part of the imaging project.

Although 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. While not exact, the F&RA 3 typical work examples that align with Ms. Cain's overall duties and responsibilities include the following:

- Schedules and coordinates manual and electronic . . . records management services including files consulting, records retention scheduling, essential records scheduling, and similar services . . . ;
- Reviews records retention and essential records schedules to ensure conformance with legal requirements and state and agency or institution standards;
- Manages manual and/or electronic records retention, disposition, transfer, and storage systems and programs;
- May receive public records requests, assist requestor in defining the scope of records requested, assist staff in identifying records responsive to a request, identify and redact information exempt from disclosure . . . ;
- May conduct records management workshops and similar instructional sessions . . . ;
- Review, determine, and analyze potential applications of electronic, automated . . . or imaging technology and assist in performing analysis to determine the feasibility and/or benefits of converting information to alternative formats;
- May lead or supervise lower level staff.

Ms. Cain's oversight of staff assisting with the imaging project involves a combination of clerical tasks such as physically prepping the documents for scanning as well as some entry level analyst work related to researching, labeling, tracking, and ensuring case information is properly assigned in the MODIS system.

It is clear DSHS heavily relied on Ms. Cain's abilities to regularly assign, train, and oversee the work of contingent workers in accomplishing the imaging of client records and other documents into the MODIS system. A position's allocation is not based on an evaluation 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 classes.

For the time relevant to Ms. Cain's position review, the F&RA 3 class best describes the overall duties and responsibilities assigned to her position.

**Appeal Rights**

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

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to the Washington personnel resources board. Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is PO Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located on the 3<sup>rd</sup> floor of the Raad Building, 128 10<sup>th</sup> Avenue SW, Olympia, Washington. The main telephone number is (360) 407-4101, and the fax number is (360) 586-4694.

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

c: Tammy Cain  
Lester Dickson, DSHS  
Lisa Skriletz, SHR

Enclosure: List of Exhibits

**TAMMY CAIN v DSHS**  
**ALLO-13-064**

**A. Tammy Cain Exhibits**

1. Request for Director's Review
2. Position Review Request-Employee Portion
3. E-mail document from Supervisor
4. Specifications-Records Management Supervisor
5. List of Subordinates
6. Position Description
7. Time and Attendant
8. Lester/e-mail Exhibit #5
9. Letter of Support from subordinates/volunteers
10. Work Source letters of support
11. Memo from ISSD-Tracy Nelson/Jennifer Armstrong
12. Service Agreement
13. Labor and Industries report of hours

**B. DSHS Exhibits**

1. Allocation determination letter July 24, 2013 (10 pages)
2. Position Description received in DSHS Class and Comp Unit January 30, 2013 (5 pages)
3. Organizational Chart (1 page)
4. Email April 4, 2013 from supervisor James Reddick (2 pages)
5. Written memorandum March 1, 2012 by Tammy Cain to your up-line supervisors (7 pages)
6. Fiscal Analyst 2 Classification Specification 143J
7. Forms and Records Analyst 2 Classification Specification 112J
8. Forms and Records Analyst 3 Classification Specification 112K
9. Forms and Records Analyst Supervisor Classification Specification 112L