



STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT
STATE HUMAN RESOURCES | DIRECTOR'S REVIEW PROGRAM
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February 11, 2015

TO: Nathan Chase and Mike Ridgeway

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

SUBJECT: Nathan Chase v. Department of Veteran's Affairs (DVA)
Allocation Review Request ALLO-14-104
Mike Ridgeway v. Department of Veteran's Affairs (DVA)
Allocation Review Request ALLO-14-105

The Director's review of DVA's allocation determinations of your positions has been completed. The review was based on written documentation provided by you and by DVA. A list of the documents reviewed is attached.

As the Director's Review Investigator, I carefully considered all of the documentation submitted by you and by DVA in this matter. In addition, I considered the guidance provided in the State Human Resources Glossary of Classification Terms and in Personnel Resources Board appeal decisions. Based on my review and analysis of your assigned duties and responsibilities, I conclude your positions are properly allocated to the Grounds and Nursery Services Specialist 2 classification.

Background

On July 29, 2014, you both submitted Position Review Requests (PRR) to DVA's Human Resources Office (HRO) asking that your Grounds and Nursery Services Specialist (GNSS) 2 positions be reallocated to the Grounds and Nursery Services Specialist 3 or the Grounds and Nursery Services Specialist 4 classification. In his PRR, Mr. Ridgeway states that "[w]e perform all duties in these job classes minus greenhouse duties and supervising a crew. We also perform all cemetery duties and preparations." (Ridgeway Exhibits A-1 and B-4) In his PRR, Mr. Chase states that "[w]e perform all duties in these job classes except supervise and maintain greenhouse. And I have a 4 year Horticulture degree." (Chase Exhibit B-4)

DVA HRO conducted position reviews and notified each of you by letters dated October 24, 2014 that your positions were properly allocated to the Grounds and Nursery Services Specialist 2 class. (Exhibits B-1)

On October 30, 2014, the State Human Resources office received your requests for Director's reviews of DVA's allocation determinations. (Exhibits A-1)

Typically positions reviews are based on the work performed for the six-month period prior to the date that an employee's HRO receives the request for a position review. However, due the cyclic nature of your work, I considered the totality of the work described in your PRRs and Position Description Forms as the work performed relevant to your review requests.

Duties and Responsibilities

Your positions are assigned to the Facilities Department at the Washington Veterans Home located in Retsil, Washington. You are responsible for grounds maintenance at the Veterans Home, including the main campus and the cemetery. Your positions report to the Facilities Manager who reports to the Associate Superintendent. Neither of your positions is assigned ongoing lead or supervisory responsibilities for DVA staff.

Your position are described in detail your Position Description forms (Exhibits B-2). In addition, your major job duties are described in your PRRs (Ridgeway Exhibit A-1 and Exhibits B-4). In your PRRs, you categorize your duties as follows:

- 75% Maintain Washington Veterans Home grounds, lawns, cemetery, flower beds, forage, plants and trees.
- 20% Maintain a working knowledge of facilities, custodial, grounds, burial procedures and workplace safety best practices.
- 5% Assist other maintenance staff in repair, correct and troubleshoot problem. Assist in Resident/staff moves. Drive Residents to appointments.

Summary of Your Perspectives

In summary, you argue that the scope of your work is encompassed in the GNSS 3 classification. You assert that the work you perform, rather than the requirement to supervise staff, should drive the allocation of your positions to the GNSS 3 classification. You compare your positions to the grounds and nursery staff at the Washington Soldiers Home whose positions you allege are allocated to the GNSS 2 and 4 classes. You explain that you do the same work plus you are responsible for the cemetery. You allege that the work of the GNSS 4 and 2 at the Soldiers Home would be equal to the work of two GNSS 3s at the Veterans Home.

In your written arguments (Ridgeway Exhibit A-7) you attached a copy of a position announcement for a Plant Manager 1 at the Washington Veterans Cemetery located in Medical Lake, Washington. On the announcement, you circled the duties that you allege are the same as the duties that you perform at the Veterans Home in Retsil.

Summary of DVA's reasoning

DVA argues that while some of your duties are included in the typical work statements for the GNSS 3 class, your positions do not fit within the definition for the class. DVA asserts that the majority of your duties and responsibilities fit within the GNSS 2 class. DVA agrees that you occasionally perform some sprinkler irrigation throughout the year but asserts that setup/breakdown of the system constitutes less than 1% of your overall duties and responsibilities. DVA argues that you spend 45% to 55% of your time mowing and that you spend 2% to 3% of your time leading volunteers performing grounds work. DVA acknowledges

that you coordinate and prepare burials but asserts that this responsibility constitutes less than 5% of your overall duties and responsibilities. (Ridgeway Exhibit B-8)

DVA explains that the reviews of your positions did not include a comparison to the positions at the Soldiers Home in Orting. DVA clarifies that one of the staff at the Soldiers Home is allocated to the GNSS 3 level and one is allocated to the GNSS 2 level.

DVA also explained that the Plant Manager 1 classification was not reviewed as part of the allocation review process for your positions. DVA contends that the Plant Manager 1 position at the Veterans Cemetery is responsible for supervising four FTEs (full-time equivalent employees) and that this alone differentiates the Plant Manager 1 position from your positions.

In summary, DVA notes that some of your duties are listed in the typical work for the GNSS 3 and 4 classes but argues that these duties do not represent a majority of your work. DVA argues that more than 50% of your duties fall within the GNSS 2 class. DVA contends that you work under general supervision and perform skilled gardening work in the maintenance of grounds and landscapes which is best described by the GNSS 2 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. Little-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

You argue that the work you perform is the same as the work performed by staff located at the Soldiers Home and by the Plant Manager 1 position at the Veterans Cemetery. The Personnel Resources Board has addressed this argument on numerous occasions. For example, in Byrnes v. Dept's of Personnel and Corrections, PRB No. R-ALLO-06-005 (2006), the Personnel Resources Board held that "[w]hile 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." Citing to Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996). Therefore, the allocation or misallocation of other positions is not a determining factor in the appropriate allocation of your positions.

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).

In addition, the Board has found that typical work statements are not allocating criteria. Rather they provide guidance on the level of work typically found in the various classes within the series. When comparing the assignment of work and level of responsibility assigned to a position 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.

Comparison of Duties to the Plant Manager 1 classification

The Definition for the Plant Manager 1 classification states: “[d]irects maintenance, repair, and alteration of buildings, equipment, and grounds at small institution or similar facility or serves as assistant to plant manager of large institution or similar facility.”

Your positions do not have the scope of duties and responsibilities needed for allocation to this classification. Your positions are primarily responsible for grounds maintenance and associated equipment. You do not direct the maintenance, repair and alterations of buildings and associated equipment.

In addition, the State Human Resources Glossary of Classification Terms defines managerial duties as follows: “[p]lans, coordinates, integrates, executes, controls and evaluates activities and functions of an organization. This includes developing budgets, policies and procedures, service delivery, and staff supervision.” Your positions do not perform the level of duties encompassed by the definition of managerial duties.

Your positions should not be allocated to the Plant Manager 1 classification.

Comparison of Duties to the Grounds and Nursery Services Specialist Classification Series

The Class Series Concept for the GNSS series states: “[p]ositions in this occupational category are responsible for the maintenance of grounds, landscapes, athletic fields, nurseries and/or greenhouses, performing various maintenance types of operations. Positions may be involved in litter control, recycling activities, and sprinkler irrigation/maintenance within a grounds maintenance program.”

The duties and responsibilities of your positions fit within the Class Series Concept for the GNSS series.

Grounds and Nursery Services Specialist 4

The Definition for the GNSS 4 level states: “[p]ositions in this level may lead or supervise assigned personnel in the development and maintenance of grounds, landscapes, athletic fields, nurseries and/or greenhouses. Assigns, instructs and checks the work of other grounds personnel in landscape construction and grounds maintenance work. Positions may manage and participate in planning large gardening and grounds maintenance programs.”

The Glossary of Classification Terms defines a supervisor as:

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.

The Glossary of Classification Terms defines a lead worker as: “[a]n employee who performs the same or similar duties as other employees in his/her work group and has the designated responsibility to regularly assign, instruct, and check the work of those employees on an ongoing basis.”

Your positions are responsible for the maintenance of grounds on the main campus of the Veterans Home as well as for the cemetery. However, positions allocated to the GNSS 4 level are intended to have assigned lead or supervisory responsibilities. You are not assigned supervisory responsibilities and you do not regularly assign, instruct and check the work of DVA grounds personnel. You occasionally direct the work of volunteers but you are not assigned lead or supervisory responsibilities on a regular and ongoing basis.

Your positions do not fit within the GNSS 4 classification.

Grounds and Nursery Services Specialist 3

The Definition for the GNSS3 level states:

Positions in this level perform multiple duties relating to the care and maintenance of grounds, greenhouses, nurseries, or gardening programs. Positions may be involved in working with a crew of juveniles or young adults focusing on litter control, recycling activities, and distributing program-related materials at special events; educating youth crews in the environmental ethics of recycling and litter control. Positions may be involved in sprinkler irrigation and the maintenance of a grounds maintenance program. Positions may also manage a small gardening program or a major division in a large gardening program. Propagates and cares for trees, shrubs, and forage plants. Performs soil analysis, receives and ships plants, maintains growth records on propagations.

Your positions are responsible for the care and maintenance of grounds on the main campus and the cemetery and a small percentage of your time is spent on sprinkler irrigation. However, you are not responsible for propagation of trees, shrubs and forage plants. And, based on the information in your PRRs and Position Description Forms, you do not perform soil analysis, receive and ship plants or maintain growth records on propagations.

The GNSS 3 classification is not the best fit for the majority of your assigned duties and level of responsibility.

Grounds and Nursery Services Specialist 2

The Definition for the GNSS 2 level states: [p]ositions in this level work under general supervision, performing skilled gardening work in the maintenance of grounds, landscapes, nurseries, and/or greenhouses. Positions instruct the work of others, including students, residents, inmates, or patients as temporarily or regularly assigned to gardening.”

The Glossary of Classification Terms defines general supervision as:

- Employee performs recurring assignments without daily oversight by applying established guidelines, policies, procedures, and work methods.
- Employee prioritizes day-to-day work tasks. Supervisor provides guidance and must approve deviation from established guidelines, policies, procedures, and work methods.
- Decision-making is limited in context to the completion of work tasks. Completed work is consistent with established guidelines, policies, procedures and work methods. Supervisory guidance is provided in new or unusual situations.
- Work is periodically reviewed for compliance with guidelines, policies and procedures.

Your positions fit within the Definition of the GNSS 2 classification. You work under general supervision and perform skilled work in the maintenance of grounds on the main campus and the cemetery. In addition, you instruct the work of volunteers occasionally performing gardening. In his exhibits, Mr. Chase included the Claim for Standard Government Headstone or Marker form and a letter from the Washington Veterans Home Superintendent giving him administrative rights to sign the form. (Chase Exhibits A-3 and A-4) These exhibits demonstrate that Mr. Chase applies established procedures and that his decision making authority in regard to requesting headstones or markers is limited to completing work consistent with established procedures.

In addition, while not allocating criteria, I considered the typical work states for the classes within the GNSS series. While you perform some work described in the typical work statements for higher level classes within the series, the typical work statements for the GNSS 2 class describe the overall majority of the work you perform.

The scope of your assigned duties and responsibilities best fit within the GNSS 2 classification.

The Grounds and Nursery Services Specialist 2 classification is the best fit for the majority of your duties and responsibilities. Your positions are properly allocated.

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 3rd floor of the Raad Building, 128 10th 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: Melody Donohue, DVA-WVH

Enclosure: List of Exhibits

A. Mike Ridgeway Exhibits

1. Fax requesting Director's review received October 30, 2014 with Position Review Request sent to DVA HR on July 28, 2014
2. Performance and Development Plan signed January 2014
3. Unsigned Position Description
4. Grounds and Nursery Specialist 2 class spec, with duties performed checked
5. Grounds and Nursery Specialist 3 class spec, with duties performed checked
6. Grounds and Nursery Specialist 4 class spec, with duties performed checked
7. Mike Ridgeway final argument

B. DVA Exhibits

1. Allocation Determination (October 24, 2014)
2. Position Description Form, position #B950 (January 31, 2008)
3. Organizational Chart (July 22, 2014)
(WDVA, Washington Veterans Home, Facilities Department,
Plant/Trades/Grounds)
4. Position Review Request (July 28, 2014)
5. Grounds and Nursery Services Specialist 2 (591J) class specification
6. Grounds and Nursery Services Specialist 3 (591K) class specification
7. Grounds and Nursery Services Specialist 4 (591L) class specification
8. DVA final argument

C. Class Specifications

1. Grounds and Nursery Services Specialist 2 (591J)
2. Grounds and Nursery Services Specialist 3 (591K)
3. Grounds and Nursery Services Specialist 4 (591L)
4. Plant Manager 1 (595S)