



STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
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April 15, 2015

TO: Susan Lockyear

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

SUBJECT: Susan Lockyear v. Department of Corrections (DOC)
Allocation Review Request ALLO-14-107

The Director's review of DOC's allocation determination of your position has been completed. The review was based on written documentation provided by you and by DOC. A list of the documents reviewed is attached. In addition, I considered the guidance provided in Personnel Resources Board appeal decisions.

As the Director's Review Investigator, I carefully considered all of the documentation submitted by you and by DOC in this matter. Based on my review and analysis of your assigned duties and responsibilities, I conclude your position is properly allocated to the Warehouse Operator 2 classification.

Background

You requested a reallocation of your Warehouse Operator 2 (WO2) position to the Correctional Industries Supervisor Assistant (CISA) classification by submitting a Position Review Request form to DOC's Correctional Industries Human Resources (HR) Office on September 11, 2013. (Exhibit B-2)

By letter dated January 9, 2014, DOC denied your request and determined that your position was properly allocated to the WO2 classification. (Exhibits A-2 and B-1)

On February 5, 2014, you requested a Director's review of DOC's determination. (Exhibit A-1)

At the time of your position review request, your position was located in the Correctional Industries (CI) Warehouse at the Washington Corrections Center (WCC). Because you requested your position review in September 2013, the timeframe for the review is September 2012 to September 2013. (See Article 31 of the relevant Collective Bargaining Agreement between the State of Washington and Teamsters Local Union 117.) In your written argument (Exhibit A-3), you indicate that in March 2014, your position began additional scanning and 10-key duties for WCC orders. These additional duties are outside of the relevant timeframe for your September 2013 review request.

In your Position Review Request (PRR) form (Exhibit B-2), you indicate that the purpose of your position is to provide customer service to staff, offenders and outside agencies. You also

indicate that your position changed to provide for cost efficient handling of orders while training and supervising offenders to give them skills they can use when released from custody. In the PRR, you describe your duties as follows:

- 30% 10 keying offender orders to MCC for processing in an effective yet efficient manner. Meeting all deadlines to stay on schedule with not only our schedule but the schedule of the MCC Commissary hub for Western Washington. Completing credits in a timely manner to keep complaints and inquires about credits to a minimum.
- 30% Delivering commissary orders to offenders within the institution – issuing orders, verifying offenders and overseeing offenders properly receiving their orders and getting proper signed receipts back. Filing and destroying receipts following CI/DOC record retention.
- 15% Correspondence of kites, Public Disclosures, and other inquiries from staff, offenders and outside agencies in a timely manner in accordance with agency policy.
- 20% Supervising, train, mentor, and direct 3 offenders in a building that employees (sic) 24 offender workers. Plan work for offenders and make adjustments as necessary to meet the needs in delivery preparation. Maintain safety and security requirements. Maintains proper tool control. Insure all offenders are trained in proper use of equipment and procedures and take corrective action when needed. *(This responsibility was added to your position on April 13, 2012 when your position became part of CI and the function was moved inside the facility.)*
- 5% Assisting in providing coverage/presence in the Distribution Warehouse for other CIS2 staff and 24 offenders.

Your supervisor agrees that your Position Review Request accurately describes your duties. Your supervisor indicates that you do the same type of work but it is done differently now that you work for CI and you have moved inside the facility. She also indicates that in addition to the 3 offenders who assist with staging store orders, you also mentor and help supervise 24 offenders in the CI warehouse when necessary.

Summary of Ms. Lockyear's Argument

You argue that you work with and supervise offenders every day in preparing orders for delivery, checking inventory in store bags and making sure all charges match the items in the bags. You indicate that you supervise, train and teach offenders, assist with tool sign-outs and check-ins, deliver store bags to offenders and collect receipts. In addition, in your request for review you indicated that you assist in unit production, quality assurance and assist with offender supervision in all aspects of production and processing and that you assist in scheduling workers to meeting completion dates and deadlines. You explain that positions in the kitchen and laundry do not have responsibility manufacturing yet their positons are allocated to the Correctional Industries Supervisor Assistant. You further explain that employees in the WWC CI Warehouse are allocated to the CISA class yet the warehouse does not perform manufacturing. Therefore, based on your responsibilities for offender supervisions and the allocation of other positions to the CISA classification, you assert that your position should be allocated to the CISA classification.

Summary of DOC's Reasoning

In summary, DOC explains that the Class II offender work training program teaches marketable skills to offenders and asserts that the offenders who support the offender store are not

engaged in Class II work training programs as anticipated by the CISA class series. DOC further asserts that working for CI does not dictate the allocation of a position. DOC argues that the majority of your duties and responsibilities "involve performing journey level warehousing functions in the commissary area of a large warehouse, and completing tasks such as entering orders into the inventory system, applying credits and charges, ensuring the commissary orders are staged, delivering orders to offender living units, and responding to inquiries regarding commissary process and procedures. . . ." (Exhibit B-12) DOC contends that your position meets the class series concept for the Warehouse Operator series and fits the definition of the WO2 level which includes the supervision and training of offenders. DOC argues that your position is properly allocated to the WO2 classification.

Rationale for Director's Determination

You indicate that CI Laundry and Kitchen staff and some CI Warehouse staff are allocated to the CISA classification. The Personnel Resources Board has previously addressed this argument. The Personnel Resources Board has determined that while 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. Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

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).

Class Specifications

The following classification standards, in descending order, are the primary considerations in allocating positions:

- a) Category concept (if one exists).
- b) Definition or basic function of the class.
- c) Distinguishing characteristics of a class.
- d) Class series concept, definition/basic function, and distinguishing characteristics of other classes in the series in question.

In addition, while not allocating criteria, the typical work or examples of work statements provide support to the duties typically performed at each level within the class series.

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).

The Class Series Concept for the Correctional Industries Supervisor series states:

This series works with offender inmates to teach them a variety of trades and other skills used in the manufacturing process. Positions learn to balance work schedules and due dates, materials, costs, different production lines and product quality, supervise, teach, and train offenders in the work unit.

The definition for the Correctional Industries Supervisor Assistant level states: "[t]his is the entry level of the series. Positions assist in unit production, quality assurance, and supervision of offender workers in all aspects of production, processing, or service unit."

Your position does not perform the scope of work described in the CIS Class Series Concept or the CISA Definition. You are not responsible for balancing materials, costs, different production lines or product quality. Rather, your position performs journey level warehousing functions in the commissary area of a large CI warehouse. The majority of your work involves processes, staging and delivering commissary orders. Performing these duties involves overseeing the work of offender helpers but does not rise to the level of supervising offenders in all aspects of warehousing or teaching them a variety of trades and other skills used in the manufacturing process.

When there is a class 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 should be allocated to the class that specifically includes the position. Mikitik v. Dept's of Wildlife and Personnel, PAB No. A88-021 (1989); see also, Waldher v. Dept. of Transportation, PRB Case No. R-ALLO-08-026 (2009).

There is a class specification that specifically includes the body of work assigned to your position.

The Class Series Concept for the Warehouse Operator series states:

Positions in this class series either supervise or perform warehouse functions in a central warehouse or a major area within a large warehouse. These positions are located in separate buildings devoted to receiving, storing and shipping supplies, equipment, furnishings or provisions.

Your position fits within the concept for the Warehouse Operator series. You perform warehouse functions in the commissary area of the CI warehouse and you oversee the work of offenders assisting in the performance warehouse functions.

The Definition for the Warehouse Operator 2 classification states:

This is the journey level of the series. Performs warehouse functions in a major area within a large warehouse or independently operates a small or decentralized warehouse; receives, records, stores, issues, and ships stock and supplies; and disposes of surplus property.

Your position fits within the Definition of the WO2 class. You are responsible for processing, receiving and distributing offender orders and collecting new orders for the commissary portion of the CI warehouse. This is consistent with the journey-level work described at the WO2 level.

In addition, the Typical Work statements for the WO2 class encompass your duties and responsibilities in regard to instructing and overseeing the work of offenders as well as your responsibilities for processing, receiving, tracking and distributing orders. For example, the Typical Work statements include:

Supervises or participates in the procuring, receiving, unloading, moving and loading of various types of materials, equipment or electronics/communications components and equipment;

Conducts ongoing property inventory control maintenance; responsible for accurate maintenance of accounting records that identify inventory on hand in addition to that being shipped and received;

Supervises or participates in unpacking incoming items and checking their condition, quantity, and type, against shipping documents; makes stock identification tags; coding acquisition and handling charges shown on receiving documents;

Plans work of subordinates, students, patients, **offenders**, or residents and **instructs them in commissary or warehousing duties**; maintain security regulations in connection with resident work detail; (Emphasis added.)

....

The majority of your overall duties and responsibilities fit the Class Series Concept and Definition of the Warehouse Operator 2 classification and are consistent with the typical work encompassed in the WO2 class. Your position is 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: Nicole Baker, DOC
SHR Classification/Compensation, SHR

Enclosure: List of Exhibits