



STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
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TO: Connie Goff, PHR
Rules and Appeals Program Manager

FROM: Kris Brophy,
Director's Review Program Investigator

SUBJECT: Karen Akopov v. Bellevue College (Bellevue)
Allocation Review Request ALLO-14-008

Director's Determination

This position review was based on the work performed for the six-month period prior to November 8, 2013, the date Bellevue Human Resources (Bellevue-HR) received Mr. Akopov's request for a position review. As the Director's Review Program 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 Mr. Akopov's assigned duties and responsibilities, I conclude his position is properly allocated to the Maintenance Mechanic 2 class.

Background

On November 8, 2013, Bellevue - HR received Mr. Akopov's Position Review Request (PRR) form, asking that his position be reallocated to the Maintenance Mechanic 4 (MM4) class (Exhibit A-2).

Bellevue HR conducted a position review and notified Mr. Akopov on January 8, 2014 that his position was properly allocated to the Maintenance Mechanic 2 (MM2) class (Exhibit B-1).

On February 10, 2014, State Human Resources received Mr. Akopov's request for a Director's review of Bellevue's allocation determination (Exhibit A-1).

A Director's review telephone conference was conducted with the parties on February 17, 2015. Present for the meeting were Karen Akopov; Phyllis Naiad, Council Representative, WFSE; and Aaron Hilliard, Human Resource Representative, Bellevue – HR. Tarana Barkov provided translation services for Mr. Akopov.

During the review telephone conference we discussed an additional exhibit which was forwarded by Ms. Naiad on February 20, 2014. This information has been added to the record and incorporated to the file as an exhibit.

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

Mr. Akopov's position is located in Campus Operations at Bellevue. He performs skilled maintenance work in buildings and facilities across the Bellevue campus.

Mr. Akopov describes his major job duties in the Position Review Request (PRR) form as follows:

- 65% Electrical work such as running new electrical lines installation, installing new receptacle, separating light fixtures in class rooms, and offices, replacing ballasts and light bulbs; troubleshooting electrical problems and overload and circuit shorts and fixing them.
- 10% Working with junior members of the maintenance team to help develop their trade skills.
- 5% Coordinate with capital projects and construction to keep informed on projects that impact the maintenance department.
- 5% [Provide] full service and maintenance of EZ Go carts in Maintenance and Grounds departments.
- 5% [Perform] installation and repair of sinks, faucets, and water heaters including new water lines.
- 5% General building maintenance such as repairing walls, ceilings, stairs and windows.
- 5% Figure out the required parts and order from vendors or buy from the store.

Mr. Akopov stated during the review telephone conference that his position performs a variety of skilled trades work on campus. His position has primary emphasis on troubleshooting and performing electrical repair and installation work on lighting fixtures, outlets and resolving other related electrical problems.

Mr. Akopov acknowledges that he does not lead other employees but spends approximately ten percent of his time working with junior maintenance employees to assist in developing their trade skills. He stated that he receives and completes his work orders with little or no supervision. He works independently and prioritizes his normal maintenance work schedule.

Summary of Mr. Akopov's Perspective

Mr. Akopov asserts he is performing work at the MM 4 level by performing expert level work.

Mr. Akopov believes his knowledge, skills, and level of independence fit the MM 4 class level of responsibility of serving as a specialist. He states his duties require the intensive application of knowledge and skills and he applies his electrical trade knowledge to satisfactorily complete his work assignments independently with little or no supervision. He states that he makes all of his own decisions with regard to the planning, supplies, and techniques needed to complete his work assignments.

In total, Mr. Akopov believes the MM 4 is the correct classification for his position.

Summary of Bellevue's Reasoning

Bellevue asserts Mr. Akopov's position does not reach the MM 4 level responsibility of serving as supervisor.

Bellevue asserts Mr. Akopov works under general supervision and the majority of his duties involve performing journey-level assignments within established standards and guidelines and without specific instruction consistent with the MM2 class specification.

Bellevue acknowledges Mr. Akopov is a valued employee and performs his duties well. However, based on the scope of his duties and overall level of responsibility assigned to his position, Bellevue states the MM 2 class is the proper allocation for Mr. Akopov's position.

Comparison of Duties to 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.

Comparison of Duties to the Maintenance Mechanic series

The Class Series Concept for Maintenance Mechanic series states:

Position in this series perform general maintenance, repair, remodeling and construction duties utilizing working knowledge of several related skill fields such as electrical, plumbing, carpentry, welding, painting and machinist work. Incumbents inspect, repair, install and maintain physical facilities, locks and maintain and repair machinery and equipment. Positions may be required to lead or supervise and instruct offenders, inmates or residents in general maintenance activities.

Mr. Akopov's position meets the intent of this class series of performing a variety of general maintenance, repair, and construction activities requiring a working knowledge of a variety of skill fields.

Comparison of Duties to Maintenance Mechanic 4 (MM 4)

The Definition for this class states:

This is the supervisory or expert level of the series. Positions at this level are responsible for shop administration and supervising maintenance personnel, equipment mechanics or others performing skilled maintenance, repair and

modification of plant machinery and mechanical equipment involved with buildings, special apparatus, utilities and facilities. This level also includes positions which erect construction or communication towers around 300 feet high. [Emphasis added]

The State Human Resource Director (OSHRD) Glossary of Classification Terms defines expert as:

Within the context of the class series, has the highest level of responsibility and extensive knowledge based on research and experience in a specific area. Resolves the most complex, critical, or precedent-setting issues that arise. Positions act as a resource and provide guidance on specialized technical issues. Although an employee may be considered by their peers as an expert or "go-to" person at any level, for purposes of allocation, the term is typically applied to an employee in a higher class level who has gained expertise through progression in the series.

Mr. Akopov's position does not meet the primary allocating factors of this class of having responsibility for shop administration and supervising maintenance personnel or serving in an expert capacity as required. Mr. Akopov does not have responsibility for erecting construction or communication towers.

Mr. Akopov confirmed during the review conference process that his position does not have responsibility for shop administration nor does he supervise other employees.

Mr. Akopov's position does not meet the definition of expert within the context of this class series of having the highest level of independent responsibility for resolving the campus's most complex or critical facilities maintenance issues that arise. Further, Mr. Akopov's position does not require him to act as a resource and provide guidance on specialized technical issues to other maintenance mechanics on campus.

For example, his position does not require working on a variety of specialized electronic, plumbing, water and sewer, and physical plant machinery, equipment or control systems. He does not have expert level responsibility for developing options and budget cost estimates for facility work orders at the level anticipated by this class. His position does not provide expert level support to other maintenance staff to assist them in diagnosing and repairing complex work orders, facility issues or repair problems. Mr. Akopov participates and assists other maintenance personnel and/or contractors during planned and unplanned power stoppages in buildings across campus but he does not direct those efforts.

Rather, the overall scope and level of work he performs is more routine in nature, consisting of installing new electrical lines, installing receptacles, troubleshooting electrical problems such as short circuits and overloads, repairing lighting fixture and related malfunctions.

Therefore, the thrust of his position does not involve performing expert-level facilities maintenance design, installation, repair and maintenance work for Bellevue campus buildings, utilities, and facilities as required. For the reasons stated above, Mr. Akopov's position should not be reallocated to the Maintenance Mechanic 4 class.

Comparison to Duties to Maintenance Mechanic 3

The Definition for the Maintenance Mechanic 3 class states:

This is the senior, specialist or leadworker level of the series. Positions at this level perform skilled work in more than one trade or craft. Incumbents typically specialize in one trade or craft but perform journey-level and semi-skilled work in a variety of disciplines. Incumbents perform construction, maintenance, repair and modification of buildings, facilities, mechanical equipment, machinery and specific apparatus and utilize a working knowledge of several related skill fields such as plumbing, electrical, welding, carpentry, and machinist work.

Lead

The "Glossary of Terms" defines "lead" as follows:

Lead. An 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.

Although Mr. Akopov may occasionally direct the work of other employees assisting him on work orders or projects, his position does not have designated responsibility to lead the work of others on a regular and ongoing basis.

Senior

The Glossary of Classification Terms defines "senior" as:

Senior - The performance of work requiring the consistent application of advanced knowledge and requiring a skilled and experienced practitioner to function independently. Senior-level work includes devising methods and processes to resolve complex or difficult issues that have broad potential impact. These issues typically involve competing interests, multiple clients, conflicting rules or practices, a range of possible solutions, or other elements that contribute to complexity. The senior-level has full authority to plan, prioritize, and handle all duties within an assigned area of responsibility. Senior-level employees require little supervision and their work is not typically checked by others.

The overall scope and complexity of Mr. Akopov's assigned duties with respect to his decision making authority do not reach senior level responsibility. It is uncontested that Mr. Akopov performs skilled trades work. He independently devises methods and processes to resolve issues or situations that arise with respect to his assigned work. His knowledge, skills and experience allow him to independently run electrical lines which include occasional carpentry-related tasks on his assigned electrical line installation work projects. However, the work that Mr. Akopov performs does not require him to independently devise methods and processes to resolve complex or difficult issues that have broad potential impact a majority of the time. His position does not have responsibility over the outcomes of making decisions that carry high consequences of error relative to the department's work orders and other maintenance projects.

Additionally, Mr. Akopov's position does not have full senior-level responsibility to plan, prioritize, and handle all duties within his assigned area of responsibility. For example, Mr. Akopov does not have responsibility for approving major deviations to his work assignments and does not have independent decision-making authority for those outcomes. This limits the overall

level of authority Mr. Akopov has to plan, prioritize, and handle all duties within his assigned area of responsibility.

Specialist.

The Glossary of Classification Terms defines "specialist" as:

Specialist - Duties involve intensive application of knowledge and skills in a specific segment of an occupational area.

Mr. Akopov's position does not serve in a specialist capacity. Mr. Akopov performs his work as a member of a maintenance crew in response to work orders assigned by his supervisor. Mr. Akopov performs the majority of his work under general supervision and without specific instruction. In response to work orders, Mr. Akopov evaluates the job requirements and the work site, determines the materials and repairs needed to complete the work, and completes the work at the journey level.

Therefore, the overall scope of his duties, and the majority of time that he spends performing his work does not require the intensive application of knowledge and skills in order to complete his work as a specialist as required.

Mr. Akopov is not a senior, specialist, or lead worker and his position does not meet the primary allocating requirements of this class. His position should not be reallocated to the MM3 class.

Comparison of Duties to Maintenance Mechanic 2

The Definition for the Maintenance Mechanic 2 class states:

This is the journey, working or occupational level of the series. Positions at this level perform a variety of skilled work in the operation, maintenance, repair, remodeling and construction of buildings, grounds, machinery, mechanical facilities and equipment, and hospital facilities, systems and equipment. Incumbents work independently and utilize a general knowledge of several related skill fields such as plumbing, electrical, welding, carpentry, and machinist work.

The Department of Personnel's Glossary of Classification Terms defines "journey-level" as:

...Fully competent and qualified in all aspects of a body of work and given broad/general guidance, can complete work assignments to standard under minimal supervision. Also referred to as the working or fully qualified occupational level.

Mr. Akopov's position performs a variety of skilled trades work on campus. This includes performing skilled electrical and other general maintenance work.

Mr. Akopov's duties are consistent with performing journey level work. Mr. Akopov performs a variety of general maintenance, repair, remodeling and construction work on buildings, facilities and equipment. Mr. Akopov is fully competent and qualified in all aspects of the body of work he performs. He works under general guidance and completes his work assignments independently to standard under minimal supervision.

Although the typical work statements identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within that class. Additionally, because this class does not contain distinguishing characteristics one can look to the typical work statements for guidance.

The typical work identified in the MM 2 class specification states:

Performs preventative maintenance and repairs on all types of mechanical equipment such as electrical drive motors, laundry, kitchen, hospital, laboratory and air-conditioning equipment; changes oil, greases, changes or cleans filters, drive belts, sprockets, shafts, and bearings to ensure proper operation;

Performs preventative maintenance such as oil change, lubrication, fix flats, repair lights, replace fan belts, etc., on shop equipment, vehicles and construction equipment;

Performs maintenance, operation, and repair of electrical, mechanical and structural systems of buildings and utility distribution;

Monitor safety, fire protection and environmental control equipment to ensure the building systems and equipment are operating in a satisfactory condition; respond to service request and secure necessary assistance; take preventative and emergency action to control malfunctions;

Operates hand tools, power tools and other shop equipment; performs welding and metal fabrication; fabricates materials and equipment;

Remodels and constructs facilities in accordance with project requirements; assists in the preparation of engineering data under the direction of an engineer;

Repairs windows, doors, screens, floors, floor coverings, and painted surfaces;

Installs, maintains, and repairs electrical connections, switches, circuits, electrical equipment, thermostats, and valves.

Mr. Akopov's duties are fully consistent with these statements. Mr. Akopov spends the majority of his time performing skilled electrical and other skilled trades work. For example, Mr. Akopov installs, maintains and repairs electrical connections, switches, circuits, and related electrical equipment. His duties also include meeting with contractors and maintenance personnel to assist in resolving planned and unplanned electrical outages for buildings across campus. He independently determines the scope of work orders and estimates materials and time needed to complete each job.

Mr. Akopov works under general supervision and the majority of his duties involve performing journey-level assignments within established standards and guidelines and without specific instruction consistent with the MM 2 class specification. Mr. Akopov also occasionally directs and instructs other maintenance staff in completing their work.

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).

It is very clear that Mr. Akopov is a valued employee. 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.

Based on the primary focus of Mr. Akopov's position and in comparison of his assigned duties and responsibilities to the relevant job classes, his position is more accurately aligned with the requirements of the MM 2 class.

Mr. Akopov's position should remain allocated to the MM 2 class.

Appeal Rights

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

The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, WA 98504-0911. 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 PRB. 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 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: Karen Akopov, APP
Phyllis Naiad, WFSE
Aaron Hilliard, BC

Enclosure: List of Exhibits

KAREN AKOPOV v BELLEVUE COLLEGE

ALLO-14-008

List of Exhibits

A. Karen Akopov Exhibits

1. Request for Director's Review
2. Position Review Request
3. Performance and Development Plan (PDP) Expectations
4. Position Review HR response
5. Resume from 2007
6. Email from D. Herman, 10/9/13
7. Appointment: C159 Art Lab Coordination Meeting, 6/6/14
8. Email from J. Brunson, 2/12/14
9. Email from P. Devine, 2/11/14
10. Email from J. Good, 11/20/13
11. Email from GE Parts, 7/18/14
12. Email from D. Herman, 6/19/14
13. Email from D. Herman, 10/4/13
14. Various Work Orders from BC Request Center, various dates
Exhibit received following the telephone review conference
15. Email from Phyllis Naiad to Kris Brophy enclosing a copy of the Performance and Development Plan for Karen Akopov for the period 7/31/13 to 8/20/14.

B. Bellevue College Exhibits

1. Allocation determination letter
2. State HR Class Specification for Maintenance Mechanic 2
3. State HR Class Specification for Maintenance Mechanic 4
4. Maintenance Organizational Chart
5. Classification analysis report

C. Class Specifications

1. State HR Class Specification for Maintenance Mechanic 1
2. State HR Class Specification for Maintenance Mechanic 3