



STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
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January 5, 2016

TO: Kristie Wilson
Acting Rules and Appeals Manager

FROM: Nancy Jacobski
Director's Review Investigator

SUBJECT: Christina Linch v Parks and Recreation
Allocation Review Request ALLO-15-072

Director's Determination

This position review was based on the work performed for the six-month period prior to February 2, 2015, the date Parks Human Resources (HR) received Ms. Linch's request for a position review. As the Director's Review Investigator, I carefully considered 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 Ms. Linch's assigned duties and responsibilities, I conclude her position is properly allocated to the Parks Interpretive Specialist classification.

Background

On February 2, 2015, Parks and Recreation (Parks) HR received Ms. Linch's Position Review Request (PRR) (Exhibit A-2), requesting her Parks Interpretive Specialist (PI-Specialist) position be reallocated to the Parks Interpretive Consultant (PI-Consultant) class.

Parks HR notified Ms. Linch on July 1, 2015, that her position was properly allocated to the PI-Specialist class (Exhibit A-8).

On July 27, 2015, Mr. Stout filed a timely request with OFM State HR for a Director's review of Park's allocation determination (Exhibit A-1).

On December 15, 2015, I conducted a Director's review telephone conference. Present during the meeting were Christina Linch; Becky Stephens, WFSE Representative; Kayci Brand, Human Resource Consultant; and Jenny Warnstadt, HR Manager.

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 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).

Positions are to be allocated to the class which best describes the majority of the work assigned (*Ramos v DOP*, PAB Case No. A85-18, 1985).

Duties and Responsibilities

The purpose of Ms. Linch's position is to plan, design, promote and facilitate interpretive services and special events for the Mount Saint Helens Visitor Center (MSHVC) and the Upper Cowlitz River area. During the time period for this review, Ms. Linch also supervised seasonal Park Aides and a PI-Specialist. Ms. Linch develops and facilitates the Area Master Interpretive Plan, which includes such tasks as planning trail updates and securing funding for updates.

Ms. Linch's supervisor, Tom Fisher, Park Ranger 3, completed and signed the supervisor's section of the form on February 3, 2015, (Exhibit B-3). Mr. Fisher disagreed that the PRR was accurate and complete. He disagreed with Ms. Linch's description of the position purpose, description of duties, work activities and Ms. Linch's assessment of her decision making authority. Mr. Fisher also disagreed with Ms. Linch's supervisory responsibilities, stating, "I feel it should be noted that this employee has stated that she sometimes does things without asking for permission and plans on paying the price later. To me this shows recognition of what can and cannot be considered normal duties..." Mr. Fisher also disagreed with Ms. Linch's supervisory responsibilities, stating, "it was noted upon review of the old CQ that this position should not be supervising a Parks Interpretive seasonal position. It is now a lead for that position."

Ms. Linch's duties and responsibilities are identified in the PRR as follows:

- 40% Interpretation. Performs professional interpretive work in developing, facilitating and promoting interpretive services and special events within UCRRA State Parks and their interpretive facilities. Coordinate with park management, regional agency staff, as well as other state, federal and county agencies regarding educational and interpretive programs, events and projects. Establish and maintain positive public outreach with other government agencies, schools and non-profit organizations. Represent the UCRRA at pertinent meeting and functions.

Write and implement the UCRRA Interpretive Master Plan; prepare, facilitate and review interpretive consultant contracts and grant proposals, including the development of cost estimates and scope definitions. Provide technical expertise in interpretive center, outdoor exhibits and interpretive publication design and layout. Confers with architects, display fabricators, contractors, and field staff to assure compliance with desired theme and specifications. Create and review educational and interpretive publications. Conduct and schedule formal interpretive programs, guide walks, and campfire programs for park visitors, schools and tour groups.

- 20% Administration. Supervise maintenance of records, e.g., accession catalogs, visitor use information, fiscal and operational records. Provides responses to inquiries from the media and general public about Mount St. Helens area services and attractions, and to students researching projects. Identifies, preserves, acquires, and catalogues historic artifacts, geologic specimens, relevant records and library resources for use in the facility interpretive programming or exhibits. Assist with management of the interpretive program budget and makes recommendation to park management as to allocation of funding.
- 25% Supervision. Supervise and determine work priorities for one full-time seasonal Interpretive Specialist. Supervises and trains seasonal personnel engaged in interpretive programs, customer service, fee collection, facility maintenance and other daily routine duties. Recruits, schedules, trains and supervises facility volunteers. Although 25% of my actual time is spent on supervision, the authority follows me 100% of the time, as I could be called upon to act in a supervisory capacity at any time.
- 10% Maintenance. Perform and supervise routine maintenance at interpretive facilities, including operation and repair of the displays and audio/video equipment. Perform and supervise building and ground maintenance work such as daily cleaning of restrooms, display areas, office areas, meeting rooms, and plaza area. Uses proper chemicals. Operate park vehicles and equipment: light duty truck, hand-operated mower, weeds trimmer, blowers, and miscellaneous hand and power tools.
- 5% Other duties as required.

Summary of Ms. Linch's Perspective

Ms. Linch asserts that as a supervisor for a full-time position and seasonal Park Aides and volunteers, she determines work priorities and train staff in topics such as customer service, fee collection and facility maintenance. Ms. Linch further asserts she is responsible for supervising another PI Specialist, including training and setting work priorities for site interpretations and events. Ms. Linch contends that responsibilities around supervision place her position outside the scope of the PI-Specialist job class.

Ms. Linch maintains that, consistent with the PI Consultant job class, she provides consultative services to other state, county, and municipal agencies, including museum curation staff, the Kelso School District and forest service staff. Ms. Linch states she has worked with building requirements and architects, also consistent with the PI Consultant job class. One example of this includes working with headquarters on leading a restroom/plumbing overhaul. Ms. Linch asserts that she researches, develops and implements site interpretive master plans and programs. She makes recommendations for future plans in such areas as brochures, social media, signage and trails; and plans, develops and implements special events for several thousand school children per year.

Summary of Parks Reasoning

Parks states that Ms. Linch did supervise another seasonal PI Specialist, but once they realized it was not best practice to have positions supervising others in the same job class, they assigned Ms. Linch as a lead, not supervisor, over the PI Specialist and the seasonal staff. Parks further asserts that supervisory duties are not allocating criteria and therefore do not change the position's allocation.

Parks maintains that Ms. Linch's narrow scope of work around MSHVC does not fit the broader scope of work expected of the PI-Consultant job class. Parks contends that while Ms. Linch facilitated the Area Master Interpretive Plan, it was for the Upper Cowlitz River area/MSHVC only. Parks asserts that Ryan Karlson, Interpretive Program Manager, serves as the state-wide interpretive consultant for Parks and works with Ms. Linch on more complex projects. Parks further asserts that a PI Consultant develops interpretive methods for the entire agency, not just a site.

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. 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 PI-Consultant

The Definition for this class states:

Develops methods of interpreting historical data, natural history and natural settings for the **Washington State Parks and Recreation Commission**. Confers with architects, display fabricators, contractors, and field staff to assure compliance with the desired theme and specifications. Provides consultative services to other State, county, and municipal agencies. Plans, researches, develops, and implements site interpretive master plans and programs [emphasis added].

Comparison of Duties to PI-Specialist

The Definition for this class states:

Researches, develops and implements **site interpretive master plans and programs** [emphasis added].

The difference between the PI-Specialist and PI-Consultant lies in the scope of responsibility, emphasized in bold print above. The PI-Consultant's duties support the agency as a whole, while the PI-Specialist's duties support a site. In this case, Ms. Linch primarily supports MSHVC while Mr. Karlson provides oversight to PI-Specialists and other park staff statewide.

In Dinzl-Pederson v. Washington State Parks and Recreation Commission, PRB Case No. R-ALLO-15-008, the Board ruled that even though the appellant performed reoccurring work statewide with the geocache and other programs, the majority of work, primary focus and responsibility remained around Cama Beach State Park and therefore should remain allocated to PI-Specialist.

Ms. Linch does not perform the work listed in the PI-Consultant definition more than 50% of the time. She does not provide consultative services to other state, county and municipal agencies over 50% of the time. Nor is the purpose of her position and preponderance of work to confer with architects, display fabricators, contractors and field staff to ensure compliance with themes and specifications. The overall duties and responsibilities of this position are not consistent with the definition of the PI-Consultant.

A good part of Ms. Linch's argument revolves around supervisory responsibilities. Ms. Linch asserts that the duties involved in supervising are higher level and therefore outside the scope of the PI-Specialist job class. However, the assigned task of supervising is not a criterion by which positions are allocated. When comparing the assignment of work and the level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations, not supervisory duties (PRB Case No. R-ALLO-08-020 *Rose Marie Norton-Nader vs. Western Washington University*).

The class specification for PI-Specialist includes a typical work statement as follows: "Supervises and trains seasonal personnel engaged in interpretive programs." While typical work is not allocating criteria, absent distinguishing characteristics, I may look to typical work for guidance (PRB Case No. R-ALLO-11-014, *Kristin Mansfield vs. Department of Fish and Wildlife*). According to the definition and typical work of the PI-Specialist, supervising seasonal staff may be part of the overall process in implementing site interpretive master plans and programs.

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. (PRB Case No. R-ALLO-07-007, *Dudley v. Dept. of Labor and Industries*).

The majority of the duties assigned to Ms. Linch's position, her level of responsibility and delegated authority for performing interpretive work for the Upper Cowlitz area are best described by the PI-Specialist classification. Her supervisory responsibility is not an allocating factor and the typical work example in the PI-Specialist class specification supports supervisory duties for this job class. Therefore, her position should remain allocated to PI-Specialist.

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 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.

**CHRISTINA LINCH v PARKS
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A. Christina Linch Exhibits

1. Request for Director's Review
2. Position Review Request
3. Class Specifications
4. Organization Chart 2013
5. Last two known PDF's (old CQ's) and Job Analysis
6. Last 3 Performance Evaluations
7. Email chain re: denial of reallocation; Including clarifying information from Christina Linch
8. Reallocation Review – Determination
9. Clarification of attached resources
10. Performance Evaluations done by Christina Linch
11. Supervisory functions/signatures
12. Email chain re: Supervisory portion
13. Email chain re: who may supervise
14. Back-pay email
15. Email chain re: Reallocation Decision
16. Evidence of long term duties

B. PARKS Exhibits

1. Allocation Determination letter to Christina Linch dated July 1, 2015.
2. Position Review Request – Employee Portion, including org chart.
3. Position Review Request – Supervisor Portion
4. Addendum to Supervisor's Portion of Position Review Request
5. E-mail to Christina Linch requesting additional information
6. Additional information received from Christina Linch
7. Christina Linch's Position Description, dated 12/30/09 – Position #1293
8. Class Specification for Parks Interpretive Specialist
9. Class Specification for Parks Interpretive Consultant

C. Class Specifications

1. Parks Interpretive Specialist
2. Parks Interpretive Consultant