



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM

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November 3, 2015

TO: Kristie Wilson
Acting Rules and Appeals Program Manager

FROM: Kris Brophy
Director's Review Program Investigator

SUBJECT: Richard Darnell v. Department of Ecology (ECY)
Allocation Review Request ALLO-15-032

Director's Determination

This position review was based on the work performed for the six-month period prior to January 28, 2013, the date ECY Human Resources (ECY-HR) received Mr. Darnell'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 conference. Based on my review and analysis of Mr. Darnell's assigned duties and responsibilities, I conclude his position is properly allocated to the Environmental Specialist 3 (ES 3) classification.

Background

On January 28, 2013, Mr. Darnell submitted a Position Review Request (PRR) to ECY-HR, requesting that his Environmental Specialist 2 (ES 2) position be reallocated to the Information Technology Specialist 3 (ITS 3) classification. (Exhibit B-5)

ECY-HR notified Mr. Darnell on March 27, 2015, that his position was being reallocated to the ES 3 classification. (Exhibit B-1)

On April 9, 2015, State HR, OFM received Mr. Darnell's request for a Director's review of ECY's allocation determination. (Exhibit A-1)

A Director's telephone review conference was conducted on October 7, 2015. Present for the conference were Richard Darnell, ECY; Tom Loranger, Water Resources Program Manager, ECY; and Corrina McElfish, Senior Human Resource Consultant, ECY-HR.

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).

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

Duties and Responsibilities

Mr. Darnell's position supports the Permitting/Processing unit located within the Eastern Regional Office (ERO) as part of the agency's Water Resources Program.

Mr. Darnell states in the PRR that the purpose of his position is to serve as the Geographic Information System (GIS) expert for the ERO with responsibility for acquiring and maintaining accurate water rights data for the region. He has responsibility for ensuring GIS data and infrastructure provide efficient water rights analysis and decision making for the Eastern region of the State.

Mr. Darnell's duties and responsibilities are identified in the PRR as follows:

35% Duty:

Water Rights Decision Processing.

Tasks:

Is responsible for GIS data acquisition and corresponding spatial analysis in determining and documenting sources, place of use, beneficial use and tentative determination. Validates legal descriptions and source locations for existing water rights and water right applications. Provides defensible map displays and reports and document conditions surrounding the issuance or relinquishment of a water right. Acquires and transforms spatial data to create defensible COGO (coordinate geometry) legal description for permitting staff.

30% Duty:

Regional Data Steward.

Tasks:

Independently serves as the section expert in the use of Geographic Water Rights Information (GWIS) for mapping, permitting and quality assurance/quality control. Trains, assists and mentors regional staff in precise and accurate mapping of water right places of use and points of diversion into GWIS or the Regional GIS Repository. Develops protocols for the quality assurance and quality control of the Water Right Tracking System (WRTS) and GWIS

databases. Is responsible for ensuring that ERO Permits, Certificates, and Changes are mapped accurately within GWIS database and that those entries reflect the current status of the WRTS database.

Is independently responsible for directing the updates into the Regional GIS Repository and ERO Relational Database. Is responsible for ensuring that the GIS Repository and ERO Relational Database reliably houses data not available in GWIS, Well Log or WRTS but are essential for the long term success of the GIS program and specific business needs within the region. Is responsible for providing GWIS data and guidance to outside government agencies, sponsored groups, and public institutions.

20% **Duty:**

Regional Data Storage, Maintenance and Software Application.

Tasks:

Independently designs, develops and maintains the Regional GIS Repository and ERO Relational Database for regionally specific spatial and tabular data. Ensures the design (schema) of data and objects are compatible with the WRTS, GWIS and Well Log Databases. Coordinates with Headquarters GIS staff to establish server locations and multi-user environments to ensure a robust configuration of editors and end users when accessing the Regional GIS Repository and ERO Relational Database. Is responsible for coordinating with IT administrators to maintain current domain permissions for regional users and editors for the Regional GIS Repository, ERO Relational Database and Remote Desktop Services. Independently designs and develops Arc View user interfaces for special projects and regional business needs. Acquires, modifies, and writes script tools and macros to support end user interfaces, data manipulation and data analysis. Writes programs for migrating specific or large data sets to specified server or file locations, to re-establish Arc map document functionality, and to provide repeatedly scheduled data extractions.

10% **Duty:**

Regional GIS Liaison, Desktop Support & Training

Tasks:

Supports Headquarters in the testing and evaluation of new software and web based applications. Provides ESRI desktop support for Water Resources and building staff at ERO. Provides suggested training plans, individual and small group training sessions; and training material for program staff. Hosts roundtable meetings and software demonstrations for ERO staff. Provides guidance and suggested GIS design and procedures for other programs and projects within ERO. Is the acting Lead for up to 3 GIS volunteers. Works with Eastern Washington University to provide GIS projects for students in the GIS program.

5% **Duty:**

Data Queries and Reporting

Tasks:

Writes SQL Queries for quality assurance and data reporting on the WRTS and GWIS databases. Extrapolates data into spreadsheet reports for GWIS database completion and data accuracies. Provides spatial queries and reporting on a variety of water resource conditions, such as stream proximity, WRIA boundaries and proximity to Special Areas. Extrapolates ERO data from WRTS, Well Log, GWIS, and the ERO Relational Database for inclusion into the Customer Service and Special Project Map Documents. Provides customized querying for staff within the region, government agencies, and public institutions.

Supervisor's Comments

Ms. Victoria Leuba completed the supervisor's portion of the PRR. She indicates that Mr. Darnell's description of his assigned duties and responsibilities is accurate and complete with the exception of the following:

Rick has taken on volunteers who wish to maintain and perhaps advance GIS skills, but is not a lead worker. The volunteers are not filling a business need.

Summary of Mr. Darnell's Perspective

Mr. Darnell contends the ITS 3 class more accurately describes the scope of his duties and responsibilities. Mr. Darnell states in the PRR that:

My position is represented in the Central Regional Office as an ES4 and at Headquarters as an ITS-3. Our three positions originated differently, but due to regional and statewide business needs have very similar Tasks and Responsibilities, as well as performance expectations. Due to state and program budget shortfalls, staffing reductions and legislative mandates, there has been excessive pressure on my position to produce additional results. To meet this demand, my position has had to innovate with software, programming and database development. The methods needed to enhance and maintain the GIS operating environment is more adequately describe[d] by the ITS-3 classification rather than an ES2. ...

Mr. Darnell asserts his position provides IT programming and database development support. This includes performing such tasks as creating new databases and designing tables to pull information from the WRTIS and GWIS. Mr. Darnell indicates that his duties also include working with Headquarters GIS IT staff to establish server locations and multi-user environments, coordinating with IT administrators to maintain current domain permissions for regional users and designing user interfaces for special projects and regional business needs. Mr. Darnell contends his database development and work requires working with Headquarters GIS and ERO IT staff to accomplish his work.

In total, Mr. Darnell asserts his position should be reallocated to the ITS 3 class.

In *Byrnes v. Dept. 's of Personnel and Corrections*, PRB No. R-ALLO-06-005 (2006), the 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).

Summary of ECY's Perspective

ECY asserts the majority of work Mr. Darnell performs falls within the scope of work at the ES 3 level.

ECY contends that Mr. Darnell's position does not meet the class series concept for the IT Specialist series. ECY asserts Mr. Darnell's position focuses on the use of the GWIS for mapping, permitting and related GIS processing and regional data steward work rather than providing support to information technology application systems as defined in the IT series class series concept. ECY believes Mr. Darnell uses information technology as a tool to accomplish his work, rather than performing professional level technical IT work developing and maintaining agency database system(s).

ECY asserts the ES 3 class definition specifically addresses the focus of Mr. Darnell's work and that the majority of his duties fall within the scope of work performed by that class. ECY asserts his position is properly allocated to the ES 3 class.

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 the Information Technology Specialist series

The Class Series Concept for the Information Technology (IT) Specialist series states:

Positions in this category perform professional information technology systems and/or applications support for client applications, databases, computer hardware and software products, network infrastructure equipment, or telecommunications software or hardware.

This category broadly describes positions in one or more information technology disciplines such as: Application Development And Maintenance, Application Testing, Capacity Planning, Business Analysis and/or Process Re-Engineering, Data Base Design And Maintenance, Data Communications, Disaster Recovery/Data Security, Distributed Systems/LAN/WAN/PC, Hardware Management And Support, Network Operations, Production Control, Quality Assurance, IT Project Management, Systems Software, Web Development, or Voice Communications.

Positions which perform information technology-related work to accomplish tasks but are non-technical in nature would not be included in this occupational category. [Emphasis added]

Incumbents in this series provide professional information technology systems, programming, installation, maintenance and/or systems support in one or more of the IT disciplines identified in the class series concept. Mr. Darnell's position does not meet the intent of this class series.

Mr. Darnell's knowledge, application and use of information technology to accomplish his work is secondary to the primary focus of his position which is to apply his knowledge and application of the GISW to perform GIS mapping and data acquisition work. His duties involve maintaining databases for database systems that were developed by others. Responsibility for providing IT technical support for these systems rests with the agency's IT Services staff and IT staff assigned to the Information Management section of the Water Resources Program.

The Definition for the ITS 3 class states:

In support of information systems and users in an assigned area of responsibility, independently performs consulting, designing, programming, installation, maintenance, quality assurance, troubleshooting and/or technical support for applications, hardware and software products, databases, database management systems, support products, network infrastructure equipment, or telecommunications infrastructure, software or hardware.

Uses established work procedures and innovative approaches to complete assignments and coordinate projects such as conducting needs assessments; leading projects; creating installation plans; analyzing and correcting network malfunctions; serving as system administrator; monitoring or enhancing operating environments; or supporting, maintaining and enhancing existing applications.

The majority of assignments and projects are moderate in size and impact an agency division or large workgroup or single business function; or internal or satellite operations, multiple users, or more than one group. Consults with higher-level technical staff to resolve complex problems.

Mr. Darnell spends a portion of his time using technical IT knowledge and skills to perform IT Specialist-related work such as designing and creating tables to gather information from the WRTS and GWIS systems. Mr. Darnell also designs and writes SQL database queries to gather information to create reports and related information and he designs user interfaces for special projects and regional business needs.

Mr. Darnell indicates that his duties also include working occasionally with Headquarters and ERO IT staff to coordinate and perform certain IT tasks such as establishing server locations and multi-user environments. He also coordinates with IT administrators to maintain current domain permissions for regional users.

However, Mr. Darnell's position does not perform professional IT support regarding database design and maintenance as the primary focus of his position. Rather, Mr. Darnell's position serves as the section expert in the use of the GWIS. His position serves as a technical expert with respect to GIS water rights decision processing activities in his capacity as the regional data steward for the ERO. Mr. Darnell's position is responsible for training and assisting ERO staff in mapping water right places of use and points of diversion for inclusion in the GWIS or Regional GIS Repository. Mr. Darnell is responsible for the accuracy of the region's spatial and tabular water rights data and related information which is used in the groundwater rights information system for mapping, permitting and quality assurance/quality control by the region's permitting and other agency staff. This also includes mentoring and working with other staff in

GIS techniques and GIS standards and performing the corresponding spatial analysis which he used in determining and documenting water sources, validating legal descriptions and source locations for existing water rights and water right applications and other related functions. Mr. Darnell receives and responds to requests from staff regarding mapping and data acquisition requests.

Therefore, although a portion of Mr. Darnell's duties includes performing certain IT Specialist-related work to accomplish his tasks, the focus of his position and the majority of his duties as a whole are non-technical in nature and would therefore not be included in this occupational category. In addition, there is another class series which specifically addresses the scope of work performed regarding the GIS data steward functions he performs in his position.

Because the focus of his position and majority of duties he performs do not meet the intent of the class series concept, his position should not be allocated to a class within the IT Specialist series.

This is further supported by a Personnel Resources Board (PRB) decision. In *Alvarez v. Olympic*, PRB No. R-ALLO-08-013 (2008), the Board held that "[w]hen there is a definition 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 will be allocated to the class that specifically includes the position. [See *Mikitik v Depts. of Wildlife and Personnel*, PAB No. A88-021 (1989)."]

For these reasons, Mr. Darnell's position duties are not aligned with the requirements of the class series concept and his position should therefore not be allocated to a class within the IT Specialist class series.

Comparison of Duties to Environmental Specialist 3

The Definition for this class states:

Under general direction, independently performs professional level assignments and environmental reviews in one or more of the following areas:

- 1) Environmental permit development and review;
- 2) Environmental inspections and/or enforcement activities;
- 3) Scientific studies, surveys, and/or scientific analyses;
- 4) Grants, contracts, and loans;
- 5) Interpretation of policy and environmental technical assistance.

The Distinguishing Characteristics for this class states:

This is the fully qualified professional Environmental Specialist. Positions complete the full range of assignments under general direction. Completed work is reviewed for effectiveness in producing expected results.

Positions at this level are characterized by assignments in one or more of the following areas:

- 1) Environmental permit development and review: Reviews environmental permit applications for technical accuracy and compliance with regulatory requirements; negotiates permit conditions; develops or reviews technical plans and makes decisions regarding the scientific merit of the proposal; conducts conflict resolution; and prepares final permit evaluation/report for approval.
- 2) Environmental inspections and enforcement activities: Conducts inspections or field investigations in order to respond to complaints/violations relating to environmental regulations; participates with higher level environmental staff in negotiating agreements/settlements; imposes on-site enforcement action as necessary; performs follow-up inspections to ensure corrective action is implemented; oversees contractor or consultant services for compliance and certifies performance; participates in clean-up activities and mitigation efforts at large oil spills or other hazardous waste spills; represents the agency in public meetings, hearings, and workshops; interprets and explains environmental regulations and requirements; and works directly with local municipalities and the public to promote environmental improvements.
- 3) Scientific studies, surveys, and/or scientific analyses: Plans, develops, researches, and oversees or conducts data collection; utilizes computer modeling or other scientific analyses to determine effective methods and practices relating to toxic waste cleanup, resource management, or policy or regulation development; reviews technical plans for accuracy and makes scientific recommendations regarding the development, coordination, and implementation of environmental technical assistance programs involving pollution prevention or control or natural resource management. Makes recommendations to senior staff regarding new or modified sampling and analytical testing methods, best management practices, and technical operating procedures.
- 4) Grants, contracts, and/or loans: Provides technical environmental assistance and administrative guidance to grant/contract/loan recipients in the planning, design, construction and/or implementation of environmental protection projects. Recommends course of action to resolve issues or meet contract requirements.
- 5) Interpretation of policy and technical assistance: Under general direction, responds to complex inquiries or requests for technical assistance requiring a high degree of technical scientific background and understanding.

The scope of Mr. Darnell's position falls most appropriately within the requirements of the definition and distinguishing characteristics of this class.

For example, Mr. Darnell performs professional environmental specialist work as the ERO GWIS data steward which requires a high degree of technical scientific background and understanding. Mr. Darnell works under general direction and the majority of his key work activities involve developing, researching, conducting and overseeing data collection used for water rights decision making within the ERO. Mr. Darnell prepares maps of water rights in GIS. He is responsible for acquiring and maintaining accurate water rights data and ensuring quality assurance and quality control of the agency's WRTS and GWIS databases. He also provides specialized training to others regarding the water rights mapping process.

Additionally, 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.

The following typical work examples best align with the work assigned to Mr. Darnell's position:

- Plans, develops, researches, and conducts or oversees technical data collection and analyzes, evaluates, and interprets data; analyzes and/or interprets information requirements and coordinates information gathering for a team or other assignment outside of a team;
- Determines database/inventory requirements; works with agency and non-agency sources on data submittals; evaluates databases/inventories for analysis, reporting or compliance purposes; may design and/or develop databases/inventories to be utilized in support of technical projects;

The focus and scope of Mr. Darnell's position duties fully align with these statements.

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. *Dudley v. Dept. of Labor and Industries*, PRB Case No. R-ALLO-07-007 (2007).

In this case, the majority of the duties assigned to Mr. Darnell's position and his level of responsibility and delegated authority are best described by the ES 3 class.

His position should remain allocated to that class.

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.

c: Richard Darnell, ECY
Corrina McElfish, ECY

Enclosure: List of Exhibits

RICHARD DARNELL v ECY

ALLO-15-032

List of Exhibits

A. Richard Darnell Exhibits

1. Director's Review Form received April 9, 2015
2. 2008 PDP
3. 2008 Individual Development Plan
4. 2009 PDP
5. 2009 Individual Development Plan
6. 2010 PDP
7. 2010 Individual Development Plan
8. 2011 PDP
9. 2011 Individual Development Plan
10. 2012 PDP
11. 2012 Individual Development Plan
12. 2013 PDP
13. 2013 Individual Development Plan
14. 2014 PDP
15. 2014 Individual Development Plan
16. 2010 Position Description for ITS3
17. 2008 Essential Functions Analysis for position 4144
18. 2009 email chain regarding sde database

B. ECY Exhibits

1. Position Review Determination Letter March 27, 2015
2. Position Description for Environmental Specialist 2, Position #4148
3. Water Resources Program Organizational Chart
4. ERO Water Resources Program Organizational Chart
5. Position Review Request – Employee Portion
6. Position Review Request – Supervisor Portion
7. State of Washington Class Specification for Environmental Specialist 2
8. State of Washington Class Specification for Environmental Specialist 3
9. State of Washington Class Specification for Information Technology Specialist 1

10. State of Washington Class Specification for Information Technology Specialist 2
11. State of Washington Class Specification for Information Technology Specialist 3
12. Example of work from Richard Darnell, email with two attachments
13. Document titled, "GIS Processing Handbook Table of Contents" with four attachments:
 - a. Map_FIX_301_330_sample
 - b. Data Warehouse files screen shot
 - c. Sde and sql screen shot
 - d. Python Script Procedure for CURRENT map documents JC Data Migration
14. Position Allocation Process
15. Step 3: Understanding Allocating Criteria
16. Step 4: Understand Duties in Position Description
17. Step 6: Determine Appropriate Allocation
18. Office of the State HR Director, OFM, Glossary of Classification Terms