

March 17, 2009

TO: Banks Evans

FROM: Holly Platz, SPHR
Director's Review Investigator

SUBJECT: Sheralyn Andrews v. Department of Corrections (DOC)
Allocation Review No. ALLO-08-015

The Director's review of DOC's allocation determination of Ms. Andrews' position has been completed. The review was based on written documentation. This review covers the six month period prior to September 6, 2007.

In the exhibits Ms. Andrews' provided for this review, she included a number of emails dated after September 6, 2007. I recognize that these were not documents available to the DOC when they conducted the review of Ms. Andrews' position. Therefore, I did not consider these exhibits as actual examples of work but rather as demonstrative of the type of document requests Ms. Andrews contends she received prior to September 6, 2007.

Director's Determination

As the Director's designee, I carefully reviewed all of the documentation in the file including the duties and responsibilities described in Ms. Andrew's Position Description (PD) and Position Review Request (PRR) form. In addition to the Community Corrections Assistant classification requested by Ms. Andrews, I considered the Correctional Records Technician 1 classification. Based on my review of the documents, the available classifications, and my analysis of Ms. Andrew's assigned duties and responsibilities, I conclude that her position is best described by the Office Assistant 3 classification.

Background

In September 2007, Ms. Andrews submitted a Position Review Request form asking that her Office Assistant 3 position be reallocated to the Community Corrections Assistant or the Correctional Records Specialist (re-titled Correctional Records Technician 1, effective July 1, 2007) classification. Ms. Andrews' supervisor disagreed that her Position Review Request (PRR) form was accurate and did not support the reallocation of her position. DOC conducted a review of Ms. Andrews' position and by letter dated February 1, 2008, denied her request.

On behalf of Ms. Andrews, on March 3, 2008, the Washington Federation of State Employees filed a request for a Director's review of Ms. Andrews' position. In her Director's review request, Ms. Andrews asked that her position be reallocated to the Community Corrections Assistant classification.

Summary of Ms. Andrews' Perspective

Ms. Andrews argues that the Office Assistant 3 classification does not encompass the duties she performs in regard to document searches which involves locating and obtaining documents, conducting compliance verification reviews on files, using various computer programs to research, compile and evaluate data obtained through record checks, preparing reports for professional staff, and providing back-up for court liaison work.

Ms. Andrews asserts that she works under the discretion of a community corrections professional but clarified that she is restricted from making any decisions regarding offenders that would result in a significant change being made in an offender's supervision. Ms. Andrews further asserts that she reviews and verifies the accuracy of court documents, verifies the accuracy of information in the offender tracking system against source documents, and resolves problems that relate to sentence computation or identity errors. She also asserts that she checks and identifies offenders through fingerprint comparisons and physical characteristics.

Ms. Andrews contends that she receives Document Search Requests from various DOC staff, including Community Corrections Officers and Community Corrections Assistants and that in response to the requests, she performs complex document searches for criminal reports. In performing document searches, Ms. Andrews contends that she utilizes information from and follows the procedures of King county, other counties and other states and that she uses local, national and international retention schedules and other resources.

Ms. Andrews further contends that she logs requests and information into various tracking systems, including the Offender Based Tracking System (OBTS), and verifies that the information in the tracking systems is correct. She contends that she gathers and evaluates information and exercises independent judgment and discretion in determining which procedures to follow in regard to recording information and also in regard to how a document search should be conducted.

Ms. Andrews asserts that her duties also include researching, gathering, reviewing, verifying, and compiling information and preparing and distributing various reports to DOC staff, court staff and judges. This requires Ms. Andrews to utilize various internal and external record sources and systems. Ms. Andrews contends that she acts as a liaison for other DOC staff, that she coordinates information with other sections of DOC, and that she provides training and checks the work of other staff to verify their work is completed in accordance with policies and procedures. Although Ms. Andrews contends that she trains and checks the work of others, in her PRR she does not indicate that she is assigned lead or supervisory responsibility for other staff.

Summary of DOC's reasoning

DOC acknowledges that Ms. Andrews works independently and that she occasionally interacts with community corrections professionals. DOC also recognizes that Ms. Andrews' expertise and performance are an asset to her unit. However, DOC contends that Ms. Andrews does not take direction from community corrections professionals and that she does not perform casework functions.

DOC acknowledges that Ms. Andrews' Position Description (PD) and PRR indicate that Ms. Andrews' position is focused on performing tasks associated with performing complex document searches for DOC Community Corrections Officers, requesting police reports and other documents from various police agencies, scanning documents, and performing backup duties for reception and filing. However, DOC explains the Ms. Andrews' supervisor disagreed that 50% of her time is spent performing document searches. Rather, Ms. Andrews' supervisor indicated that Ms. Andrews had not been performing document searches for at least six months prior to her review request. DOC explains that during the desk audit of Ms. Andrews' position, Ms. Andrews acknowledged that she had been directed to no longer perform document searches but that she still sometimes received requests. As a result, DOC asserts that performing document searches should not be considered a significant portion of Ms. Andrews' assigned job responsibilities.

DOC contends that Ms. Andrews' position does not fit within the Community Corrections Assistant classification because she does not work under the direction of a community corrections professional, does not receive work direction from Community Corrections Officers on a regular basis, and does not perform casework functions.

DOC contends that Ms. Andrew's position does not fit within the Correctional Records Technician 1 classification because she is not supervised by a Correctional Records Supervisor, she does not work within a correctional records office, does not perform correctional records technical tasks or sentencing structure duties, and does not calculate the length of incarceration or community supervision time.

DOC asserts that Ms. Andrews follows established guidelines and procedures to ensure a file is complete and contains required documents and that she requests missing documents, logs information for tracking purposes, enters codes into OBTS, maintains filing systems, performs archiving duties, answers the telephone, receives and refers visitors, and assists Community Corrections Officers via computer, phone and FAX. DOC contends that Ms. Andrews reports to an Office Support Supervisor 2 and that the majority of her assigned duties involve performing various complex clerical tasks such as:

- processing file terminations
- exercising independent judgment and discretion in choosing procedures to follow
- locating, retrieving or requesting current, archive, warehouse, microfilm, scanned and out files
- maintaining various tracking and filing systems
- reviewing, duplicating, scanning and distributing documents to staff.

DOC asserts that Ms. Andrews' position best fits the Office Assistant 3 classification.

Rationale for 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. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

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

In her PRR, Ms. Andrews indicates that she is supervised by an Office Support Supervisor 2 and that her second-level supervisor is an Office Support Supervisor 3. Neither of these positions are community corrections professional positions. Rather they are supervisory positions for staff performing office support functions.

The definition for Correctional Records Technician 1 classification states, "[p]erforms correctional records technical tasks and sentencing structure duties within a correctional records office. Calculates length of incarceration and/or community supervision time under the supervision of a Correctional Records Supervisor."

Ms. Andrews does not work under the supervision of a Correctional Records Supervisor. She does not perform technical sentencing structure duties and does not calculate the length of offenders' incarceration or community supervision time. Her position does fit within the definition of the Correctional Records Technician 1 classification.

The definition for Community Corrections Assistant classification states, "[w]ithin the Department of Corrections, Division of Community Corrections, performs assigned technical and/or administrative casework functions under the direction of a Community Corrections professional." Positions in this class typically perform casework functions necessary for monitoring offenders' legal payments and offenders' participation in programs. Although these positions monitor offenders, they do not make decisions that invoke a loss of liberty, search or seizure.

Ms. Andrews interacts with community corrections professional staff, but she does not work under their direction. Ms. Andrews works under the direction of and is supervised by an Office Support Supervisor 2. In addition, Ms. Andrews does not perform casework functions. While some of her duties for screening records; maintaining files; researching, compiling and evaluating data; and preparing reports are similar to work typically performed by Community Corrections Assistant positions, Ms. Andrews does not perform these duties within the context of casework functions. Rather, Ms. Andrews provides complex clerical support by maintaining records, researching files, maintaining logs, compiling and evaluating data and preparing reports for use by the staff responsible for performing casework functions. While some of Ms. Andrews' duties overlap with this classification, the majority of her assigned duties and responsibilities do not meet the breadth of impact or scope of duties envisioned by this classification.

I recognize that some of Ms. Andrews' duties may appear to fit within the typical work statements of the Community Corrections Assistant and the Correctional Records Technician

1 classes. However, typical work statements are not allocating criteria. Rather they provide guidance on the level of work typically found in the various classes within a series. The following standards are 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.

Jurgensen v. DOC, PRB Case No. R-ALLO-07-016 (2008).

The Office Assistant class series concept states: “[p]erforms a variety of clerical duties in support of office or unit operations.” Ms. Andrews’ position fits within this series.

The Office Assistant 3 definition states:

Under general supervision, independently perform a variety of complex clerical projects and assignments such as preparing reports, preparing, reviewing, verifying and processing fiscal documents and/or financial records, composing correspondence such as transmittals and responses to frequent requests for information, establishing manual or electronic recordkeeping/filing systems and/or data base files, and responding to inquiries requiring substantive knowledge of office/departmental policies and procedures. Positions may perform specialized complex word processing tasks in a word processing unit or complex rapid data inquiry and/or entry functions.

In part, incumbents who work under general supervision perform recurring assignments within established guidelines without specific instruction. Ms. Andrews works under general supervision. The focus of Ms. Andrews’ position is processing terminations for the Offender Minimum Management Unit, not conducting document searches. In addition, she performs a variety of complex clerical tasks such as:

- completing Termination/Discharge closures
- entering codes in OBTS
- researching, reviewing, and verifying records
- processing and maintaining information in various tracking systems
- compiling information, preparing reports and sharing information
- occasionally responding to requests for information.

Due to the complexity of the tasks assigned, Ms. Andrews is required to apply her substantive knowledge of DOC policies and procedures as well as procedures for other jurisdictions. Ms. Andrew’s duties and responsibilities are consistent with the Office Assistant 3 definition.

The Office Assistant 3 distinguishing characteristics state:

Assignments and projects are of a complex nature. Independent performance of complex clerical assignments requires substantive knowledge of a variety

of regulations, rules, policies, procedures, processes, materials, or equipment. Problems are resolved by choosing from established procedures and/or devising work methods. Guidance is available for new or unusual situations. Deviation from established parameters requires approval. Work is periodically reviewed to verify compliance with established policies and procedures.

Positions typically provide work direction to lower level staff and may assist in training new staff.

Ms. Andrews independently performs complex tasks that require substantive knowledge of a variety of regulations, rules, procedures, processes, equipment and systems. She follows established guidelines and procedures in performing her work. And, she provides training and work guidance to other staff. Ms. Andrews' position fits within the distinguishing characteristics of the Office Assistant 3 classification.

In addition, the typical work statements for the Office Assistant 3 classification describe the level of work, problem solving, record review and verification, and complex file maintenance that Ms. Andrews performs.

Overall, the focus of Ms. Andrews' position, scope of her duties, the majority of her assignments, and her level of responsibility are best described by the Office Assistant 3 classification. Her position is properly allocated.

Both the Personnel Appeals Board and the Personnel Resources Board have instructed that a current and accurate description of a position's duties and responsibilities, as documented in an approved classification questionnaire or position description form, becomes the basis for the allocation of a position. My decision is based on the totality of information in the documents provided. However, in this case, both Ms. Andrews and her supervisor confirmed that she was directed to no longer conduct document searches. Therefore, I must put more weight on the remainder of the duties described in Ms. Andrews PD and PRR.

Because an allocation determination should be based on the overall duties and responsibilities as documented in the approved position description form, DOC should take steps to assure that the position description forms for all positions accurately reflect the duties and responsibilities assigned to the positions. DOC must assure that when a supervisor makes significant changes to the duties of a position, the position description is updated to reflect those changes.

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.

Director's Determination for Andrews ALLO-08-015

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The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

cc: Sheralyn Andrews
Joanne Harmon, DOC
Tina Cooley, DOC
Lisa Skriletz, DOP

Enclosure: List of Exhibits

Sheralyn Andrews v. DOC

List of Exhibits

- A.** Filed by employee March 3, 2008:
1. Director's Review Form signed by Adrienne Helinski, WFSE
 2. DOC allocation determination February 1, 2008.
- B.** May 13, 2008 email from Yvonne Crepeau filed by employee May 16, 2008.
- C.** Letter & exhibit list filed by DOC June 13, 2008:
1. (A)Position Review Request 9/6/2007
 2. (B)Position Description 8/1/2006
 3. (C)Classification Questionnaire 7/12/2004
 4. (D)Classification Specs: Community Corrections Assistant
 5. (E)Classification Specs: Correctional Records Technician
 6. (F)Classification Specs: Office Assistant 3
 7. (G)Email from Linda Gilstrap, HR Manager to Sheralyn Andrews (Re: desk audit)
 8. (H) Reallocation Determination Notification Letter from K. Tarli, HRC.
 9. (I)Request for Director's Review filed by S. Andrews.
- D.** Filed by DOC June 13, 2008 (Employee Exhibit Item)
Email from Y. Crepeau to S. Andrews; Subject: You're Phone Message
- E.** Email exhibits sent to DOP October 28, 2008 from Ms. Andrews:
1. #732894 SCOTT, Ebon
 2. State v. Jacquelyn Cheri Bilsborough, DOC#796669/06-1-02768-6 KNT
 3. Obtaining a Police Report
 4. Informational & Police Report
 5. 872252 robinette, rise
 6. Casey, Steven John
 7. lil help
 8. Reedy, Donna WA#301613
 9. Thank you!
 10. DSU PIT
- F.** Director's review scheduling notice setting written review sent Feb. 9, 2009.
- G.** February 25, 2009 email from Sheralyn Andrews submitting exhibits:
1. July 2008 email chain, Patricia Sullivan, Donald Wetzberger
 2. October 2008 email chain, Joan Myers, Sheralyn Andrews
 3. February 2009 email from Karen Daniels with memo attached
- H.** February 26, 2009 email from Tina Cooley, HRC, with attached document:
"Written Documentation Submittal" (6pages).