

NATURAL RESOURCE SPECIALIST

REPORT OF FINDINGS

JUNE 1997

EXECUTIVE SUMMARY

State policy prescribes the responsibilities of the agencies and the Human Resource Services Division (HRSD) regarding the allocation of positions to classifications. These responsibilities were further defined during the 1995 legislative session. House Bill 2192 amended ORS 240.215(2) to include the following:

"The allocation of positions within the various operating agencies to the classifications in the classification plan shall be performed by the agency appointing authority with post-audit review by the division. Agencies shall allocate positions to the available class that most accurately describes the work based upon the assigned duties, authorities and responsibilities. . "

The classification audit was conducted pursuant to this new legislation, and to [State Policy 30.000.01](#). The classifications selected for this review make up the Natural Resources Specialist series (NRS 1 - NRS 5).

The Natural Resources Specialist series was implemented in January 1997. Beginning with this audit, review of implementation of new classifications will be completed on a routine basis. As new classes are implemented, allocation of positions will be reviewed for consistency within an agency and across agency lines. Future audits will include implementation of the new Information Systems series and the Fiscal series.

Since July 1985 state agency appointing authorities have been responsible for determining the overtime exemption status for their employees under the Fair Labor Standards Act (FLSA). The state is considered as a single employer and must comply with provisions of the Code of Federal Regulations and Oregon Administrative Rules.

As of March 1997, there were 703 positions with incumbents in ten state agencies in the subject classifications. A sample of 39 positions in ten agencies was reviewed. The reviews included an analysis of the current position descriptions (PDs), interviews with incumbents and their supervisors, the application of FLSA job duties tests, and consideration of additional information submitted by agencies.

The following findings were made:

- Thirty-one positions (79%) were correctly allocated.
- Three positions (8%) were not in the appropriate classification.
- Five positions (13%) were not in the appropriate level within the series.

- Thirty-three positions (85%) were correctly FLSA designated. Six positions (15%) were FLSA misdesignated.
- Seventeen of the PDs (44%) were complete, accurate, up to date and in the current format. Twenty-two of the PDs (56%) were either in the old format, incomplete, outdated, or inaccurate.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion:

Eight (21%) of the 39 audited positions in the Natural Resources Specialist classification series were found to be misallocated.

Recommendation:

Each of the affected agencies has been separately advised of the misallocations and their responsibility to initiate corrective action consistent with considerations regarding represented or unrepresented employees. Corrective action may include such alternatives as reclassification of the position or the realignment of duties, authority and responsibilities.

We recommend that appointing authorities review position allocations periodically and correct any allocation errors as required by [State Policy 30.000.01 \(Position Management\), Section \(1\)\(e\)](#). This process is accomplished by some agencies at the time of the annual performance appraisal, and is a specific "check-off" item for supervisors at the time of the performance review. This ensures that a position description review is made at least annually. We recommend that agencies adopt a similar practice, if one is not now in place.

Conclusion:

Of the 39 positions audited, six (15%) were incorrectly designated under FLSA.

Recommendation:

We recommend that agencies conduct regular reviews of the work being performed by their employees to verify FLSA designations, and make corrections as necessary. Whenever a PD is revised because of a change of duties or reclassification, the FLSA designation should be verified. These reviews should include interviews with incumbents and their supervisors. Agencies should check with their assigned labor relations manager in the case of represented employees, especially when changing from nonexempt status to exempt status.

Suggested references for agencies to use when assigning FLSA designations are two handbooks available from the Bureau of Labor and Industries: *Wage & Hour Laws - A Handbook for Oregon Employers* and *The White Collar Exemptions - A Handbook for Oregon Employers*, 1996 editions. Another valuable reference is the Thompson Publishing Group's *Public Employer's Guide to FLSA Employee Classification*, 1995 edition. These are excellent references to augment applicable OARs and CFRs.

Conclusion:

The FLSA designations for two (5%) of the 39 positions audited were in disagreement between the PDs and the PPDB.

Recommendation:

As stated in the *Classification Guide*, the PD is the primary document of personnel administration in the State. It must be current, accurate, and complete. Agencies should establish internal procedures, if not currently in place, to ensure that information recorded in the PPDB agrees with the information contained in their PDs.

Conclusion:

Eleven (31%) of the 36 PDs were not complete, were outdated, inaccurate, not signed and/or dated by one or more of the required signatories (incumbent, supervisor, appointing authority).

Eight (22%) of the 36 PDs were in an old format.

Recommendation:

We recommend that agencies establish internal procedures, if not currently existing, to ensure that position descriptions are reviewed at periodic intervals. At minimum, descriptions should be reviewed annually as part of the employee performance review process. They should be reviewed for completeness and accuracy and to assure that all signatures are in place.

Conclusion:

PUC allocated all similar positions within the Utility Program to the NRS classification series during the implementation process and the existing agency specific classes were abolished. It is determined that it would be most appropriate to develop an agency specific classification series that will encompass the majority of work performed and will continue to provide the career ladder desired by the agency.

Recommendation:

We recommend that HRSD Classification staff work with PUC to develop an agency specific class series to more appropriately define the job duties.

We also recommend that HRSD review the process used to implement new class series and determine if it is being accomplished in the most effective manner.