

RESEARCH ANALYST AND MANAGEMENT ANALYST

REPORT OF FINDINGS

JANUARY 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 Research Analyst and Management Analyst classification series were selected for review. The Research Analyst classification contains four levels. The Management Analyst classification contains three levels.

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 must comply with provisions of the Code of Federal Regulations and Oregon Administrative Rules and is considered as a single employer.

As of October 1996 there were 202 positions with incumbents in 32 state agencies in the Research Analyst and Management Analyst classification series. A sample of 39 positions in 24 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-six positions (92%) were correctly allocated.
- Three positions (8%) should be allocated to a series other than the one being currently used.
- Thirty positions (77%) were correctly FLSA designated. Nine positions (23%) were misdesignated and should be corrected to reflect the appropriate FLSA designation.
- Twelve of the PDs (31%) were either incomplete, outdated or inaccurate.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion:

Three (8%) of the 39 audited positions in the Research Analyst and Management Analyst series were found to be misallocated.

Recommendations:

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.

It is recommended 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, 9 (23%) were incorrectly designated under FLSA.

Recommendations:

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.

We recommend that agencies become familiar with the 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 designation of seven (13%) of the 39 positions audited were either in disagreement between the PDs and the PPDB or were not marked on the PDs.

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:

Twelve (31%) of the 39 PDs were not complete, were outdated, inaccurate, not signed and/or dated by one or more of the required signatories (incumbent, supervisor, appointing authority).

Recommendation:

It is recommended 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.