

BEFORE THE PERSONNEL APPEALS BOARD  
STATE OF WASHINGTON

RECEIVED

NOV 03 1993

PERSONNEL  
APPEALS BOARD

SHARON KIESEL,  
Appellant,  
v.  
DEPARTMENT OF CORRECTIONS,  
Respondent.

Case No. D93-100

ORDER OF DISMISSAL

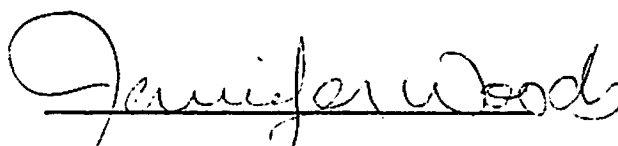
THIS MATTER came before JENNIFER WOODS, Hearings Examiner, pursuant to the October 26, 1993 letter from Appellant's union representative indicating her wish to withdraw this appeal. Based upon the foregoing, Hearings Examiner now enters the following

ORDER

IT IS HEREBY ORDERED that this appeal is dismissed.

DATED this 1st day of November, 1993.

Washington State  
Personnel Appeals Board



By: Jennifer Woods  
Hearings Examiner

CHASE RIVELAND  
Secretary



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS  
McNEIL ISLAND CORRECTIONS CENTER  
P.O.Box 900 • Steilacoom, Washington 98388-0900

August 4, 1993

RECEIVED

AUG 20 1993

PERSONNEL  
APPEALS BOARD

Sharon Kiesel  
8521 29th Ave. Ct. S. #6  
Tacoma, WA 98409

CONFIDENTIAL --  
PERSONAL SERVICE

Ms. Kiesel:

This is official notification that you are being suspended without pay from your position as a Pharmacy Assistant-A from the beginning of your workshift on August 9, 1993 through the end of your workshift on August 13, 1993.

This disciplinary action is taken pursuant to the Civil Service Laws of Washington State, Chapter 41.06, Revised Code of Washington, and the Merit System Rules, Title 356, Washington Administrative Code (MSR), and Sections 356-34-010 (1)(a) Neglect of Duty, (b) Inefficiency, (c) Incompetence, and 356-34-030 Suspension - Duration - Procedure.

Specifically, you neglected your duty, and were inefficient and incompetent when on June 9, 1993 you 1) incorrectly filled a prescription for inmate Henry C., No. 177695, by dispensing a lower dosage than what was prescribed by the physician; and 2) produced two prescription labels with erroneous instructions and affixed them to containers which you filled with medication for dispensation to inmates Robert F., No. 177731, and Dean S., No. 177723, respectively. These actions are described in more detail in the Employee Conduct Report, which was completed on July 20, 1993 (attachment 1).

As a licensed Pharmacy Assistant A, you have a duty to dispense medication appropriately and accurately. In fact, the safety and well-being of inmates depend on it. With your nearly twelve years of relevant experience, I can find no excuse for you not accomplishing your job requirements in a timely, accurate and competent manner. You have an obligation to ensure that your work is done precisely; however, the errors which you made on June 9, 1993, illustrate a continuous pattern of inattention to detail which you have unfortunately developed subsequent to your assuming your Pharmacy Assistant position at this institution. You have been counseled relative to your carelessness and warned about the consequences should these serious errors continue. Evidence of this counseling and identification of possible consequences is included in two corrective interview documents, dated May 14, 1993, and June 2, 1993, (attachments 2 and 3 respectively) which specifically cite several instances of prescription dispensation errors on your part. Additionally, on May 28, 1993, you received a letter of reprimand for

#1

Sharon Kiesel  
August 4, 1993  
Page 2 of 2

incorrectly filling one prescription and failure to fill two others (attachment 4). By your failure to properly fill prescriptions you have placed this institution in an untenable position; open to litigation, and other repercussions to the inmates in our care ranging from minimal medical reactions to loss of physical well-being, up to and including the loss of life. You have seriously neglected your duty, and demonstrated inefficiency and incompetence by the careless way in which you have carried out your duties. Additionally, you have neglected your duty by disregarding the numerous instances of supervisory direction you received.

Although you have only been at MICC since March 15, 1993, I am appalled at the level of unacceptable performance in such a short time. Your previous work in a similar setting demonstrated your ability to perform your duties in an acceptable manner. I believe the disciplinary action outlined in paragraph one is warranted, and sincerely hope that it convinces you of the seriousness of your actions and deters you from further incidents of this nature. Future wrongdoing on your part may result in further corrective or disciplinary action being taken against you, up to and including dismissal.

Attachments one through four are attached hereto and by this reference, made a part hereof as though fully set forth herein.

Under the provisions of WAC 358-20-010 and WAC 358-20-040, you have a right to appeal this action to the Personnel Appeals Board. Your appeal must be filed in writing at the Office of the Executive Secretary, Personnel Appeals Board, thirty (30) days after the first day of your suspension as stated in paragraph one of this letter.

The Merit System Rules, Washington Administrative Code, and Department of Corrections policies are available for your review in the personnel office.



Eldon Vail, Superintendent

Attachment(s)

cc: Dennis Karras, Director, Department of Personnel  
Jennie Adkins, Director, Division of Human Resources  
James Blodgett, Assistant Director, Division of Prisons  
Linda Dalton, Assistant Attorney General  
Donna Grazzini, Area Personnel Manager  
Katherine Nagel, MICC Personnel Officer  
Personnel file

THIS FORM TO BE USED IN COMPLIANCE WITH POLICY DIRECTIVE NO. 857.005

**INSTRUCTIONS AND TIME LIMITS:**

1. The person making the report shall provide a clear description of the incident under "Description of Incident" and, with any witness(es) or person(s) having knowledge, shall sign in the space provided and submit to the supervisor of the involved employee within fourteen (14) calendar days after the date of discovery of an employee's alleged misconduct.
2. The form shall be submitted to the employee involved who shall complete the "Employee's Statement" and return the report to his/her supervisor within seven (7) calendar days following the date of receipt.
3. The appropriate supervisor shall review the facts of the incident, complete the "Supervisor's Report" and submit the report to the Office Head within seven (7) calendar days following the date of receipt.
4. The Office Head or designated representative shall review and within thirty (30) calendar days following the date of receipt determine whether misconduct has occurred. This shall be reported under "Administrative Comments" and shared with the employee. When the supervisor and Office Head are the same person, the supervisor's supervisor shall complete the Administrative Comments.

|                                    |                                      |   |
|------------------------------------|--------------------------------------|---|
| EMPLOYEE INVOLVED<br>Sharon Kiesel | ORGANIZATIONAL UNIT<br>MICC Pharmacy |   |
| POSITION TITLE<br>Pharmacy Asst. A | DATE OF INCIDENT<br>06/09/93         | TIME OF INCIDENT<br><input type="checkbox"/> AM <input type="checkbox"/> PM |

**DESCRIPTION OF INCIDENT:**

On June 9, 1993, I discovered you had incorrectly filled a prescription for inmate Henry C., prescription No. 177695. You gave him Doxepin 25 MG instead of Doxepin 50 MG. I had you correct this as soon as I discovered the mistake. Additionally, I was stopped at the Steilacoom Dock at 4:35 p.m. that evening by PA Sacay, who inquired about the instructions on the label for inmate Robert F., prescription No. 177731. The label you produced was incorrect; it read 1 tablet at bedtime, #14 and should have read 2 tablets at bedtime, #28. I had you correct this the next morning. On that same morning, I found a note from PA Sacay regarding another label you had done incorrectly for inmate Dean S., prescription No. 177723, for Buspar 10 MG. The label you produced was incorrect; it read 1 tablet at 11:00 a.m. and bedtime if needed, and should have read 2 1/2 tablets (25 MG) at 11:00 a.m. and at bedtime if needed.

|                                      |                              |                                   |                  |
|--------------------------------------|------------------------------|-----------------------------------|------------------|
| <b>REPORTED BY:</b>                  |                              |                                   |                  |
| NAME (PLEASE PRINT)<br>Linda Paulson | POSITION TITLE<br>Pharmacist | SIGNATURE<br><i>Linda Paulson</i> | DATE<br>06/11/93 |
| <b>WITNESS(ES):</b>                  |                              |                                   |                  |
| NAME                                 | POSITION TITLE               | SIGNATURE                         | DATE             |
|                                      |                              |                                   |                  |
| NAME                                 | POSITION TITLE               | SIGNATURE                         | DATE             |
|                                      |                              |                                   |                  |

DATE DELIVERED TO EMPLOYEE 6-11-93

BY Linda Paulson, RPh

EMPLOYEE'S STATEMENT:

The labels that were prepared for the two inmates was done at the close of business after the Fern Blue. I was in a hurry to leave, as well as you. You checked the orders and sent them out. This was a last minute push. I would like to be given an opportunity to discuss this issue

Signature of Employee:

Date:

SUPERVISOR'S REPORT:

DATE RECEIVED BY SUPERVISOR

BY:

On June 23, 1993, Ms. Kiesel and I met to discuss the above described medication error. Ms. Kiesel was advised as to her right to union representation and chose to proceed without. Ms. Kiesel acknowledged making the error and reiterated her statement above in terms of time pressure and the fact the error was also missed by her supervisor. Ms. Kiesel acknowledged previous discussion with her supervisor regarding medication errors and indicates a sincere willingness to improve by reduction of errors. Call-out records of inmates suggest the pharmacy had over 5 hours to process inmate <sup>F.V. Swanson, D</sup> Henry C. prescription and over 1 1/2 hours to process inmate Robert F. prescription.

Signature & Title of Supervisor:

Date: 6-23-93

ADMINISTRATIVE COMMENTS: DATE RECEIVED BY OFFICE HEAD

June 26, 1993

BY:

Mary Johnson

We met to discuss this Employee Conduct Report on July 8, 1993. Also in attendance was Personnel Officer Donna Grazzini. Based upon my review of the available information, it is my decision that misconduct did occur in this situation. Corrective/disciplinary action will follow under separate cover.

Signature of Office Head:

Date: 7/21/93

MCNEIL ISLAND CORRECTIONS CENTER

\* DAILY HOSPITAL CALL SHEET \*

*Hospital Desk Office*

PAGE: 1

DATE OF APPOINTMENT WEDNESDAY, JUNE 9th, 1993

Prepared By: J. Hamilton/CT3

| NUMBER | NAME               | HOUSE | PURPOSE | APPT. TIME | TIME IN | TIME OUT | DEPARTMENT      |
|--------|--------------------|-------|---------|------------|---------|----------|-----------------|
| 1544   | SWAN, Greg         | B1312 |         | 1:00 p.m.  | 1310    | 1400     | Pat Arnold/RN2  |
| 1547   | STEWART, David     | A3052 |         | 1:30 p.m.  | 1335    |          | "               |
| 1551   | JOHNSON, Jeremy    | A2162 |         | 1:30 p.m.  | 1340    | 1405     | Nursing Staff   |
| 1571   | SOLOMON, John      | A1292 |         | 1:45 p.m.  | 1335    | 1400     | "               |
| 1593   | PERKINS, Richard   | C4212 |         | 2:00 p.m.  | 1410    | 1425     | "               |
| 1641   | MACIAS, Jaime      | ANB32 |         | 2:00 p.m.  | 1400    | 1500     | D. Oestman/LPN3 |
| 1644   | LAPLANTE, Raymond  | AND08 |         | 2:10 p.m.  | 1400    | 1500     | "               |
| 1657   | KELLY, George      | AND37 |         | 1:00 p.m.  |         |          | Dr. Ritter      |
| 1691   | DWINELL, Ricky     | ANE25 |         | 8:30 a.m.  | 850     | 855      | Dr. Ehly        |
| 1711   | CHAMBERS, Henry    | AND39 |         | 9:00 a.m.  | 850     | 910      | "               |
| 1744   | YOUNG, Carl        | C4052 |         | 9:30 a.m.  | 920     | 936      | "               |
| 1746   | HELPS, Andy        | C4281 |         | 10:00 a.m. | 1005    | 1040     | "               |
| 1748   | FLORES, Alejandro  | ANE24 |         | 10:30 a.m. | 1055    | 1050     | "               |
| 1751   | SMITH, Donald      | ANE16 | NO SHOW |            |         |          | At Hearing      |
| 1752   | WILKERSON, Lavoy   | AND26 |         | 11:00 a.m. | 1055    | 1105     | "               |
| 1756   | PELKEY-KING, Guy   | ANA39 |         | 11:15 a.m. | 1055    | 1100     | "               |
| 1758   | BEAGLE, Harvey     | ANE21 |         | 12:30 p.m. | 1230    | 1245     | "               |
| 1759   | THOMAS, Roy        | C4061 |         | 12:45 p.m. | 1245    | 1250     | "               |
| 1761   | LEMBERGER, Charles | A2211 | NO SHOW |            |         |          | "               |
| 1762   | JACKSON, Montague  | A3171 |         | 1:30 p.m.  | 1335    | 1340     | "               |
| 1763   | SWENSON, Dean      | A4041 |         | 2:00 p.m.  | 1340    | 1405     | "               |
| 1764   | MCDONALD, Steven   | A2161 |         | 2:15 p.m.  | 1405    | 1425     | "               |
| 1765   | CARTER, Nathaniel  | A1091 |         | 2:30 p.m.  | 1425    | 1445     | "               |
| 1766   | TINKER, Thomas     | B3351 |         | 2:45 p.m.  | 1445    | 1510     | "               |
| 1767   | MOTLEY, Edward     | B2092 |         | 3:00 p.m.  | 1505    | 1515     | "               |
| 1768   | MILLER, Melvin     | B3332 |         | 3:15 p.m.  | 1515    |          | "               |
| 1769   | FISCHER, Robert    | B4051 | *       | 3:30 p.m.  | *1520   |          | "               |
| 1770   | LEGGINS, Edward    | A4172 |         | 9:00 a.m.  | 900     | 1200     | Dr. Forsyth     |
| 1771   | BIGELOW, Mika      | A2032 |         | 9:45 a.m.  | 858     | 1000     | "               |
| 1772   | HENNINGS, Lennie   | A2121 |         | 12:30 p.m. | 1235    |          | "               |
| 1773   | COX, Steven        | A3112 |         | 2:00 p.m.  | 1400    |          | "               |

## Chapter 246-901 WAC PHARMACY ASSISTANTS

### WAC

|             |  |
|-------------|--|
| 246-901-020 | Level A pharmacy assistants utilization.                                   |
| 246-901-030 | Level A education and training.  |
| 246-901-040 | Limitations, trainees.   |
| 246-901-050 | Level A program approval.  |
| 246-901-060 | Level A certification.   |
| 246-901-070 | Level B pharmacy assistants utilization.                                   |
| 246-901-080 | Level B certification programs.  |
| 246-901-090 | Identification.  |
| 246-901-100 | Board approval of pharmacies utilizing pharmacy assistants.                |
| 246-901-110 | Level A experience equivalency.  |
| 246-901-120 | Pharmacy assistant AIDS prevention and information education requirements. |
| 246-901-130 | Pharmacist to pharmacy assistant ratio.                                    |

**WAC 246-901-020 Level A pharmacy assistants utilization:** (1) Level A pharmacy assistants may assist in performing; under the immediate supervision and control of a licensed pharmacist, manipulative, nondiscretionary functions associated with the practice of pharmacy.

(2) Immediate supervision shall include visual and/or physical proximity that will insure adequate safety controls, except that the board of pharmacy may apply the standards of the joint commission on accreditation of hospitals for facilities licensed pursuant to chapters 70.41 or 71.12 RCW.

(3) The following shall not be considered to be manipulative and nondiscretionary functions associated with the practice of pharmacy:

(a) Consultation with the prescriber regarding the patient and his prescription.

(b) Receipt of a verbal prescription other than refill approval or denial from a prescriber.

(c) Consultation with the patient regarding the prescription, both prior to and after the prescription filling and/or regarding any information contained in a patient medication record system.

(d) Interpretation and identification of the contents of the prescription document.

(e) Determination of the product required for the prescription.

(f) Extemporaneous compounding of the prescription, except in accordance with written policies and procedures in accordance with WAC 246-901-100(2), whereby the accuracy, correct procedure and preparation, and safety of pharmaceutical constituents can be verified by the pharmacist.

(g) Interpretation of data in a patient medication record system.

(h) Final check on all aspects of the completed prescription and assumption of the responsibility for the filled prescription, including but not limited to accuracy of drug, strength, labeling, and proper container.

(i) Dispense prescriptions to patient with proper pa-

tient information as required by WAC 246-869-220.

(j) Any duty required by law, rule or regulation to be performed only by a registered pharmacist. [Statutory Authority: Amended effective 6/28/92; Statutory Authority: RCW 18.64.005 and chapter 18.64A RCW. 91-18-057 (Order 191B), recodified as § 246-901-020, filed 8/30/91, effective 9/30/91; Order 141, § 360-52-010, filed 12/9/77.]

**WAC 246-901-030 Level A education and training.** (1) The education and/or training of Level A pharmacy assistants shall be obtained in one of the following manners:

(a) Formal academic program for pharmacy assistant training approved by the board.

(b) On-the-job training program following guidelines approved by the board.

(2) The minimum educational requirement shall be high school graduation or G.E.D. [Statutory Authority: RCW 18.64.005 and chapter 18.64A RCW. 91-18-057 (Order 191B), recodified as § 246-901-030, filed 8/30/91, effective 9/30/91; Order 141, § 360-52-020, filed 12/9/77.]

**WAC 246-901-040 Limitations, trainees.** An individual enrolled in a training program for Level A pharmacy assistants will perform Level A functions only under the immediate supervision of a pharmacist preceptor or a delegated alternate pharmacist. [Statutory Authority: RCW 18.64.005 and chapter 18.64A RCW. 91-18-057 (Order 191B), recodified as § 246-901-040, filed 8/30/91, effective 9/30/91; Order 141, § 360-52-030, filed 12/9/77.]

**WAC 246-901-050 Level A program approval.** (1) Program standards. The board will establish standards by which programs designed to train Level A pharmacy assistants shall be judged.

(2) Approval. In order for a program for training pharmacy assistants to be considered for approval by the board, the director of the program, who shall be a pharmacist, shall submit to the board a description of the course of training offered, including subjects taught, method of teaching, and practical experience provided. The director of the program shall also advise the board concerning the skills and knowledge which are obtained in such course, and the method by which the proficiency of the pharmacy assistant in those skills and knowledge was tested or ascertained. The board may require such additional information from program sponsors as it desires.

(3) Program change. The board shall be informed and shall grant approval before any significant change in program can be implemented.

AUGUST 18, 1993

TO: Secretary of Department of Corrections

FROM: Sharon Kiesel, PhA  
MICC

SUBJECT: Second level grievance response appeal.

I am forwarding this grievance filed on 7/7/93 in accordance with Article 10 of the Collective Bargaining Agreement, for appeal. I find the response unacceptable.

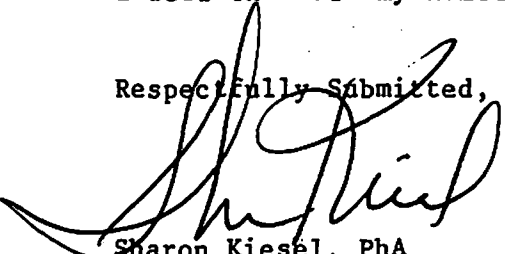
In the response it addresses that I recognized Ms Paulson as my supervisor from the time that I arrived here at McNeil. I have never recognized Ms Paulson as my supervisor, I have from the very beginning objected to the position. She herself has on countless times said she was not a supervisor. That she tried to be allocated to that position, but was unable to do so.

I addressed this many time with the Health Care Manager, he considered her as a lead of a department. Which we all know leads cannot do evaluations. I also asked for the Reviewer do futher discussion with me on my evaluation. and was granted the request. The response said that since the Health Care Manager was no longer here that he could not contacted. And that further discussion could now done with Associate Superintednent. My rights have already been violated and further discussion at this time is not acceptable.

As per the job specification of a Pharmacist, it does not allow a Pharmacist the duties of Corrective actions, Evaluations and etc.

I feel that all my Remedies should be granted at your level.

Respectfully Submitted,



Sharon Kiesel, PhA  
MICC  
Vice President Local 3163

cc: Sue Zukowsky, Area Representative, WFSE  
File





STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS  
McNEIL ISLAND CORRECTIONS CENTER  
P.O.Box 900 • Steilacoom, Washington 98388-0900

M E M O R A N D U M

TO: Sharon Kiesel  
DATE: August 16, 1993

FROM: Eldon Vail  
Superintendent  
SUBJECT: Grievance No.  
070793K Second Step  
Response

We met in my office at noon on Friday, August 6, 1993, to discuss the above mentioned grievance. Also present at this meeting was Personnel Officer Kathy Nagel.

The basis of your grievance is that a special performance evaluation focusing on your work performance since you arrived at McNeil Island Corrections Center (MICC) was conducted improperly. Specifically, you identified the following as steps of non-compliance:

1. A non-supervisor was allowed to conduct and complete an employee performance evaluation.
2. Your cq was not discussed during the process.
3. Your request for further discussion with the reviewer was denied.

You specifically stated that violations of Article 29.3 of the Collective Bargaining Agreement and Steps 2 and 4 of the Washington State Employee Performance Evaluation (EPE) procedure had occurred. During our meeting I discovered that you were not using the current Collective Bargaining Agreement and we identified the correct articles you believe were violated as Article 29.3 and 29.4 (in addition to the two steps of the EPE procedure already identified).

Very simply, you contend that Ms. Paulson, as the Pharmacist, is not a supervisor as the Department of Personnel classification specification for Pharmacist does not specify supervisory duties. You identified a classification of Pharmacist Supervisor that specifically identifies supervisory duties and state that Mrs. Paulson's position, if indeed it is meant to supervise, should be allocated at that level. Until then, you believe she is working as a lead person and is not able to conduct performance evaluations with any staff member.

The Pharmacist position is the only position of its kind at MICC. As such, it must function as the fully responsible manager of the Pharmacy program, including directing the work of subordinate staff. Management has the right to assign appropriate duties and responsibilities (including supervisory duties) to positions. The classification questionnaire (CQ) for your position identifies the Pharmacist, Ms. Paulson specifically, as the supervisor for the Pharmacy Assistant A position. Also, the organizational chart for the MICC health care area clearly identifies the Pharmacy Assistant A position as reporting to the Pharmacist position. The requirement to be a supervisor is not an allocating criteria for the Pharmacist classification, which is why it is not mentioned under the definition of the classification specification. The Pharmacy Supervisor classification you state would be the supervisory level of this series was specifically designed to require supervision of Pharmacists and other staff as an allocating criteria. Therefore, it is clear that the Pharmacist position does supervise the Pharmacy Assistant A position.

You also identified, during our meeting, that you requested leave from and provided Ms. Paulson with leave slips, took training and direction from her and otherwise acted in a subordinate capacity to her supervisory capacity during your time in the Pharmacy. These actions were supported by Health Care Mgr. Ted Love, when he directed you to work with Ms. Paulson to have leave approved. By these actions, you recognized Ms. Paulson as your supervisor.

Ms. Paulson, in her first step response, agreed that the cq was not provided to you and was not discussed. The EPE process recommends this step unless employees' are already familiar with their duties and responsibilities. As you yourself state, you have been a Pharmacy Assistant/Technician for over 12 years and are more than familiar with the duties and responsibilities required of you. The problems that precipitated the special EPE were not that you didn't know the duties and responsibilities, but that you were making too many errors. You have since received a copy of the cq for your position.

You stated in our meeting that you spoke with Health Care Manager Ted Love during this process and requested further discussion on the evaluation. You state that he denied your request. If Mr. Love denied your request to further discuss your EPE, that was incorrect. As Mr. Love has resigned from service at MICC, I have no way of pursuing that issue with him. Regardless, I offer you a review of your EPE with Jerry Minaker, Associate Superintendent tasked with the overall responsibility of the MICC Infirmary. Notify me in writing by September 1, 1993, as to when and/or if you would like this meeting to happen. At this point, even though the process is completed, you may still submit a rebuttal and have it

S. Kiesel Grievance No. 070793K  
August 16, 1993  
Page 3 of 3

placed in your personnel file. Contact Personnel Officer Nagel if you have any questions about this process.

I conclude that the Pharmacist position is the supervisor of the Pharmacy Assistant A position and as such, is responsible for directing the work of and conducting the EPE for that incumbent. I also conclude that while you were not given a copy of your position description (cq), you came to this position with over 12 years experience at the same level of work. Therefore, there was no adverse impact on you by not receiving a copy of your current cq. Ms. Paulson has documented training you received and you state yourself that with your work experience background you know what a Pharmacy Assistant A's duties and responsibilities entail.

Therefore, I cannot support your allegations that violations of CBA Articles 29.3 and 29.4 and Steps 2 and 4 of the Washington State EPE procedure occurred.

cc: Personnel Office

July 26, 1993

RECEIVED

AUG - 2 1993

Miss  
superintendent

TO: E. Vail,  
Superintendent  
MICC

FROM: Sharon Kiesel, PhA

SUBJECT: First level grievance response appeal.

I am forwarding this grievance filed on 7/07/93 to you for appeal. I find the response unacceptable.

Firstly, the first level response addresses the fact that a person that is the manager of a department can do Evaluations of employees, with out having the title of Supervisor. I met with Mr Love, Health Care Manager. I addressed the situation, and it was stated that she was the lead person. As Merit Systems Rules addresses the definition of a lead worker as a person that conveys directives from the appointing authority.

Secondly, if in fact that Ms Paulson was a Supervisor, she would be titled as such and paid as such. There is the position in the state system that is titled Pharmacist, Supervisor. I contend that if she was suppose to be a supervisor she would of been given this position.

Thirdly, in the first level response Ms. Paulson stated issues that were untrue and not factual.

Respectfully submitted,

Sharon Kiesel

CHASE RIVELAND  
Secretary



STATE OF WASHINGTON  
**DEPARTMENT OF CORRECTIONS**

McNEIL ISLAND CORRECTIONS CENTER  
P. O. Box 900 • Steilacoom, Washington 98388-0900

**DATE:** August 4, 1993  
**TO:** ~~Sharon Kiesel~~  
Pharmacy Assistant A  
**FROM:** Eldon Vail,  
Superintendent  
**SUBJECT:** GRIEVANCE #070793K

This is to inform you that a Step 2 Grievance hearing, on the above referenced grievance, has been scheduled on August 6, 1993 at 12:00 p.m. in the Superintendent's office.

If you require union representation, it is your responsibility to make arrangements with your representative.

EV:111



Grievance 070793 Response  
July 21, 1993  
Page 2 of 3

function as your immediate supervisor in order for you to work in the pharmacy in compliance with the state law.

The Washington State Department of Corrections (DOC) job bulletin for your position (attached) reiterates that this position is under the direct supervision of a registered pharmacist. Your classification questionnaire (attached) again states that you must work under the supervision of a registered pharmacist. I am also listed as the position supervisor on that paperwork and signed it as the immediate supervisor. The current organizational chart (attached) shows your position directly under my supervision.

Additionally, I have fulfilled supervisory obligations during your time in the MICC pharmacy by signing your leave slips, and by conducting numerous supervisor conferences and corrective interviews with you. Therefore, I am responsible for supervising your position. I am your supervisor and CBA Article 29.3 has not been violated.

In addition, in your grievance, you allege that Step 2 of the Washington State Performance procedure was violated as you were not given a copy of your classification questionnaire (cq) during the performance evaluation process. During our first evaluation discussion, you asked if I had a copy of your cq. I did not at that time and told you that you could get a copy from Ted Love, Health Care Manager, or his clerk, Jackie Hamilton. I also made the assumption that because of your long term state employment, you understood you could get a copy of your cq from the Personnel Office. Since you did not mention that you were not able to get a copy of your cq, I did not pursue this request. I am sorry that I did not follow-up with you to ensure that you had received a copy of your cq. I did provide a copy of your cq to you on July 14, 1993, after I realized that you had not yet gotten a copy. If you have questions about this cq, please do not hesitate to contact me.

Your third allegation is that Step 4 of the Washington State Performance Procedure was also violated as a change in the work plan for the future was made without your input. I contacted you at the commissary on Wednesday June 30, 1993, to set up a meeting to discuss and then give you the reviewed performance evaluation. When you asked me if this was the final, typed version, I replied that it had been reviewed and was typed for your signature and any comments. At this point you refused to meet with me and told me to put the evaluation in a sealed envelope and leave it in Medical Records for you to pick up. I stated that I would be available to answer any questions and/or meet with you after you read the evaluation (which I indicated was very much as previously discussed with a few additions to the work plan).

Grievance 070793 Response  
July 21, 1993  
Page 3 of 3

Step 4 of the evaluation procedure indicates, in part, that:

" . . . both the supervisor and employee should complete Section II, "Work Plan for the Future" on their worksheets. . . . Section II of the Conference Report must be completed in full by the supervisor with the employee's assistance. . . .  
"

I consulted you and incorporated your suggestions in the work plan for the future, adding them to my own expectations to complete the work plan. Therefore, I find that the procedure was followed and no violation occurred.

You stated that you were refused further discussion with the reviewer, Ted Love. I asked Mr. Love if he refused to speak with you and he stated that he never received a request from you to further discuss your performance evaluation. Therefore, I cannot verify that such a request was made, or refused, and cannot find a violation of the procedure.

I do not find that any violation of the Collective Bargaining Agreement happened. I do find that you were not provided with a copy of your classification questionnaire at the time of the initial conference for this special performance evaluation. Normally the cq is considered during an annual evaluation. The purpose of this special evaluation was to focus on specific performance issues, and was not expected to include consideration of any update of your cq. However, as you feel that a copy of your cq would be helpful, it was provided to you during our meeting on July 14, 1993. Also, an explanation of the reason you were not given the cq and an apology has been extended in this response to your grievance. I do not find that this misunderstanding was a substantive flaw in the employee performance evaluation process, and also that no other violations of that process have occurred. Therefore, I cannot grant your other requested remedies.

Your request that there not be any retaliation or harassment for filing this grievance is granted. You will be, as are all staff, treated fairly and equitably in all matters related to employment with McNeil Island Corrections Center.

cc: Personnel





*Pharmacy*

STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS  
CHASE RIVELAND, SECRETARY  
MCNEIL ISLAND CORRECTIONS CENTER  
P O Box 900 • Steilacoom, Washington 98388 0900

January 14, 1992

Don Williams, Executive Director  
Washington State Board of Nursing  
1300 Quince Street  
P.O. Box 47863  
Olympia, Washington 98504-7863

Dear Mr. Williams,

Please be advised that I have appointed Mrs. Linda M. Paulson, Registered Pharmacist, License Number 262-0301-11214, as the Responsible Manager for the McNeil Island Corrections Center Pharmacy with an effective date January 13, 1992 (Attachment 1).

If you have any questions, please contact me at SCAN 296-1297.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Ted R. Love", written over a horizontal line.

Ted R. Love  
Health Care Manager

cc: William L. Callahan, Superintendent  
Jerry Tauscher, ASTS  
Nedra Reed, Business Manager  
File



# WASHINGTON STATE DEPARTMENT OF CORRECTIONS

## PHARMACY ASSISTANT A

\*\*\*Persons of disability needing assistance in the application/testing process may call (McNeil Island Correction Center)\*\*\*  
\*\*\*at 588-5281 Ext. 267) or telecommunication device for the deaf (TDD) 1-800-833-6388 or, Seattle area only, 587-5500. \*\*\*

SALARY: Range 30 (\$1578 - \$1987)

WHO MAY APPLY:  ALL PERSONS MAY APPLY (OPEN COMPETITIVE).  
 ONLY EMPLOYEES OF THE WASHINGTON STATE MERIT SYSTEM WHO HAVE PERMANENT STATUS IN A REGULAR, NON-PROJECT POSITION MAY APPLY.  
 ONLY EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO HAVE PERMANENT STATUS IN A REGULAR, NON-PROJECT POSITION MAY APPLY.

LOCATION: McNeil Island Corrections Center

PRIMARY DUTIES: ASSISTS THE PHARMACIST IN TECHNICAL PHARMACY ACTIVITIES INCLUDING THE PREPARATION AND PACKAGING OF MEDICATIONS. PERFORMS ALL DUTIES UNDER THE DIRECT SUPERVISION OF A REGISTERED PHARMACIST.

REQUIREMENTS: A VALID WASHINGTON STATE PHARMACY ASSISTANT A-LEVEL CERTIFICATION.

NOTES: ALL DEPARTMENT OF CORRECTIONS EMPLOYEES ARE FINGERPRINTED FOR A CRIMINAL HISTORY BACKGROUND CHECK.

EMPLOYEES WORK WITH OFFENDERS IN A POTENTIALLY HAZARDOUS SETTING. PLEASE CONSIDER THIS WHEN DECIDING WHETHER TO APPLY.

SMOKING IS NOT PERMITTED WITHIN ANY DEPARTMENT OF CORRECTIONS BUILDING OR STATE VEHICLE, EXCEPT WHERE EXPLICITLY AUTHORIZED.

WE ARE UNABLE TO ACCEPT ANY ADDITIONAL INFORMATION AFTER THE CLOSING DATE. PLEASE READ THIS BULLETIN CAREFULLY.

APPLICANTS CLAIMING VETERANS PREFERENCE MUST PROVIDE A COPY OF THEIR DD214.

LAST DAY TO FILE: RECEIVED OR POSTMARKED BY Open Continuous - Not to Exceed One Year from Date of Publication

WHERE TO FILE YOUR APPLICATION: McNeil Island Corrections Center, Personnel  
PO BOX 88900, Steilacoom WA 98388-0900

EXAM ANNOUNCEMENT NUMBER: MICC 13-92 LL0C

EXAM PROCESS: THE EXAMINATION WILL CONSIST OF A VERIFICATION OF THE APPLICANT'S EXPERIENCE AND TRAINING BASED UPON INFORMATION CONTAINED IN THE APPLICATION. PROMOTIONAL CANDIDATES WILL BE RANKED ACCORDING TO SCORES EARNED IN THE EXAMINATION, WEIGHTED 100%. ALL OTHER CANDIDATES WHO QUALIFY WILL BE CERTIFIED AS "ELIGIBLE" AND WILL HAVE THEIR NAMES PLACED ON NON-COMPETITIVE REGISTERS.

EACH DOC LOCATION HAS THE AUTHORITY TO ACCEPT APPLICATIONS ONLY DURING THE RECRUITMENT PERIOD FOR THAT LOCATION.

THE DEPARTMENT OF CORRECTIONS IS AN EQUAL OPPORTUNITY EMPLOYER. THE AGED, WOMEN, ETHNIC MINORITIES, THE HANDICAPPED, AND DISABLED AND VIETNAM ERA VETERANS ARE ENCOURAGED TO APPLY.

November 11, 1992  
OPENING DATE

5371

Open Continuous - Not to Exceed One Year  
CLOSING DATE

PHARMACY ASSISTANT A from Date of Publication

REVISED 9/89



PLEASE READ THE REVERSE SIDE OF THIS BULLETIN FOR MORE INFORMATION

STATE OF WASHINGTON  
**CLASSIFICATION QUESTIONNAIRE**  
 (POSITION DESCRIPTION)

PER-843

SHADED AREAS ARE COMPLETED BY DEPARTMENT OF PERSONNEL

|   |                                      |  |                    |
|---|--------------------------------------|--|--------------------|
| 1. AGENCY NAME<br>Department of Corrections             |                                      | 2. POSITION NO.<br>HF86  |                    |
| 3. EMPLOYEE'S NAME (Last, First, Initial)<br>vacant     |                                      | 4. SUBMITTED BY<br><input checked="" type="checkbox"/> AGENCY <input type="checkbox"/> EMPLOYEE  |                    |
| 5. PHONE NO.<br>588-5281                                |                                      | 5. POSITION ACTION NO.   |                    |
| 6. MAIL STOP<br>WT01                                    |                                      | 7. SUBMITTED FOR<br><input type="checkbox"/> UPDATE <input type="checkbox"/> REALLOCATION <input checked="" type="checkbox"/> ESTABLISHMENT <input type="checkbox"/> OTHER |                    |
| 8. IMMEDIATE SUPERVISOR'S NAME<br>Linda Paulson         |                                      | 9. IMMEDIATE SUPERVISOR'S CLASS TITLE<br>Pharmacist  |                    |
| 10. PHONE NO.<br>588-5281                               |                                      | 11. PROPOSED CLASS TITLE<br>Same   |                    |
| 12. CLASS TITLE<br>Pharmacy Assistant "A"               |                                      | 13. CLASS CODE<br>53710  |                    |
| 14. CLASS TITLE (if different than class title)<br>Same |                                      | 15. CLASS CODE   |                    |
| 16. EMPLOYMENT, With Dept. YEARS MONTHS                 | 17. WITH PRESENT DUTIES YEARS MONTHS | 18. 12. MRS. OF WORK<br>40hrs/week   | 19. EFFECTIVE DATE |
| 20. LOCATION OF EMPLOYMENT<br>ICC Hospital Pharmacy     |                                      | 21. REVIEWED BY  | 22. DATE           |

23. EMPLOYEE'S STATEMENT OF DUTIES  
 READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING THIS SECTION.  
 LIST THOSE DUTIES FIRST WHICH OCCUPY MOST OF YOUR TIME. UNDERLINE YOUR MOST RESPONSIBLE DUTY.

20% Prescription Processing: Prepares labels, places medication in single and/or multi-dose containers and maintains Pharmacy Medication Database to assist the Pharmacist in processing new and refillable prescriptions in an accurate and manner.

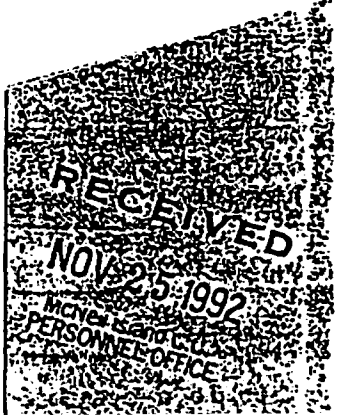
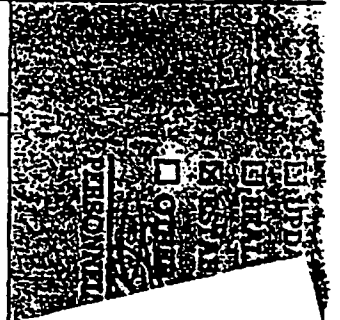
15% Stock Medication Monitoring: medications in the main Room Response Kit Room. Ret...

Completion of a recognized training program for Pharmacy Assistant "A" level of certification. Must have knowledge of institutional pharmacy practice operation. Must have the ability to understand oral and written direction from Registered Pharmacist.

34. SIGNATURE OF IMMEDIATE SUPERVISOR  
 Linda Paulson  
 35. TITLE  
 Pharmacist  
 DEPARTMENT HEAD'S STATEMENT

36. COMMENTS AS TO ACCURACY AND COMPLETENESS OF STATEMENTS BY EMPLOYEE AND IMMEDIATE SUPERVISOR  
 This is a complete and accurate statement concerning this position.

37. COMMENTS  
 ...between MICC, the Minimum Custody Segregation unit. Packages appropriate medication .../parole.



RECEIVED

NOV 25 1992

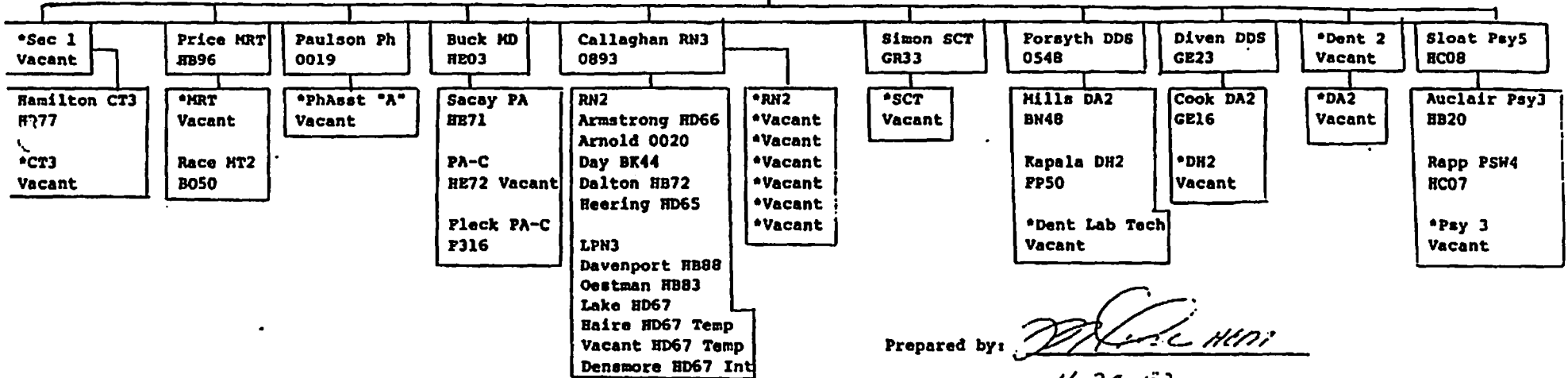
McNEIL ISLAND L.C.  
PERSONNEL OFFICE

McNEIL ISLAND CORRECTIONS CENTER  
INPRIMARY ORGANIZATION CHART

HE08 Eldon Vail, Superintendent

BG44 Jerry Minaker, Associate Superintendent

HB90 Ted Love, HCM



Prepared by: *Ted Love HCM*  
 Date: 11-20-92  
 Approved by: \_\_\_\_\_  
 Date: \_\_\_\_\_

\*Proposed expansion position

# OFFICIAL GRIEVANCE FORM

7-7-93  
2:55 pm

WASHINGTON FEDERATION OF STATE EMPLOYEES, AFL-CIO

(To be completed in five parts, no carbon required)

Local 3163 (Full title and number) Date filed 7-7-93

Name of Employee Sharm Keesel Title and Grade PhA

Place of Employment MICC Supervisor dead Linda Paulson

Directions: Any employee who desires to file a grievance with a Local Union must complete this form and sign it; one copy will be delivered to the appropriate supervisor; one copy to the Area Representative; one copy will be forwarded to the Local Union; one copy retained by the employee; and one copy to the Council Office.

Note: It is the Steward's/Chief Steward's responsibility to mail one copy of the form to the Area Representative and one copy to the Council Office.

Nature of Grievance: (State briefly but fully pertinent information such as date, place, who caused the action objected to (if known) and relevant inequitable or unfair treatment. Use additional sheets if necessary.)

I am filing this grievance in accordance with Article 10 of Collective Bargaining Agreement. I contend Article 29.3, and the Washington State Performance Procedure Step 234 have been violated. The situation concerns: that non-supervisor (dead person) was allowed to perform my evaluation. That a C.Q. was never discussed. I have requested many times to see a C.Q. was never given me. And finally I had requested a further discussion with Review and was denied.

REMEDY REQUESTED:

1. That the Evaluation dated 3-15-93 to 6-11-93, be destroyed with all attachments and all copies of pertaining material.
2. That there be no retaliation or harassment from this grievance.

[Signature]  
Signature of Steward Receiving Grievance & Date

[Signature]  
Employee's Signature

\_\_\_\_\_  
Signature of Chief Steward (if applicable) & Date

[Signature] 7-7-93  
Signature of Supervisor Receiving Grievance & Date

I hereby authorize my union representative to examine my personnel file.

\_\_\_\_\_  
Employee's Signature & Date