

# MEMORANDUM

**State of Alaska**  
**Department of Administration**  
**Division of Personnel**

**To:** Dianne Kiesel  
Director

**Date:** February 12, 2007

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**Subject:** Assistant State Assessor/State Assessor Study

**Preamble:**

The Assistant State Assessor and State Assessor class study began with a request from the Department of Commerce, Community, and Economic Development to reestablish the Assistant State Assessor job class that had been abolished since 1994. This request was the result of HB 217, which amends AS 14.17.510(a) to require the Office of the State Assessor to make full and true value determinations at least every two years, including on-site inspections once every four years, for all school districts where there is no local assessor or current local assessment. To implement the requirements established in this bill, funding for a new assistant state assessor position was provided in the FY07 budget.

**Study Scope:**

The study included reestablishing and updating the Assistant State Assessor job class, and reviewing the work of the existing, single position State Assessor job class.

**Study Method:**

The initial inquiry regarding reestablishing the Assistant State Assessor job class was received in March, 2006. A position description for the Assistant State Assessor position was received in May, 2006, and the determination was made that a study of both levels was needed. Studies for each fiscal year are prioritized and scheduled in May; this study was scheduled to begin in October, 2006, as a result of that process. Updated position descriptions were received for both positions in October, 2006. A study planning meeting was held in October, 2006, and interviews with the State Assessor were held in November and December, 2006. The Division of Personnel drafted class specifications in February, 2007, which were reviewed by the State Assessor, Steve Van Sant. Following receipt of comments, the class specifications were revised and implemented, and the two affected positions were allocated.

**History of Job Class:**

The State Assessor was originally established January 1, 1972, and last updated in 1978. The Assistant State Assessor was originally established November 16, 1976, and was abolished in 1994.

**Class Analysis:**

The state's classification plan provides for the grouping of positions into job classes when they are sufficiently similar with respect to duties and responsibilities, degree of supervision exercised and received, and entrance requirements so that: 1) the same title can be used to clearly identify each position; 2) the same minimum qualifications for initial appointment can be established for all positions; 3) the same rate of basic pay can be fairly applied to all positions; and 4) employees in a particular class are considered an appropriate group for purposes of layoff and recall. Job classes should be constructed as broadly as is feasible as long as the tests of similarity are met.

The Office of the State Assessor is tasked to advise and assist municipalities on procedures of assessment, valuation, and taxation, and to notify municipalities of major errors in those procedures. Both positions are responsible for determining the annual full and true value estimates for all municipalities in the state, monitoring the assessment practices for all taxing jurisdictions to ensure compliance with state and federal tax laws, and providing technical property tax assistance to cities and boroughs across the state. The State Assessor has the added responsibility for the overall management of the office, and is responsible for establishing, enforcing, and evaluating standardized and equitable property valuation methods throughout the state. The State Assessor supervises the Assistant State Assessor, the job class which is being reestablished and updated to assist in the performance of the Office's assigned duties.

**Class Title:**

A class title should be the best descriptive title for the work. It is intended to concisely and accurately convey the kind and level of work performed and should be brief, easily recognized, gender neutral, and understood by potential applicants.

The titles "State Assessor" and "Assistant State Assessor" remain accurate and appropriate descriptors of this body of work.

**Minimum Qualifications:**

The minimum qualifications established for a job class must relate to the knowledge, skills, and abilities needed to perform the work and must not create an artificial barrier to employment of individuals in protected classes. Required training should be limited to the basic formal training that customarily prepares individuals for work in the field. Experience requirements are intended to ensure new employees can successfully perform the work after a period of orientation or familiarization. Required experience should be directly related to the actual duties of positions in the class and should not be equivalent to the work to be performed.

The minimum qualifications require professional experience in the real and personal property assessment field, with experience in building valuation models for mass property appraisal and assessment, due to the need for new incumbents to immediately apply their expertise.

Professional certification from the Alaska Association of Assessing Officers (AAAO) is required for the State Assessor job class; the Assistant State Assessor must obtain this same certification within 12 months of employment. For both job classes, certification as a teacher with the International Association of Assessing Officers (IAAO) is also required within 24 months of appointment in order for incumbents to conduct training workshops around the state.

**Class Code:**

A class code is assigned based on the placement of the job class in the classification schematic of occupational groups and job families. Occupational groups are made up of related job families and encompass relatively broad occupations, professions, or activities. Job families are groups of job classes and class series that are related as to the nature of the work performed and typically have similar initial preparation for employment and career progression.

State Assessor, class code PD0850, remains within the Government Management and Infrastructure occupational group, Real Estate Appraisal job family. This family is defined as “classes of positions that administer, supervise or perform work related to the appraisal and acquisition or disposal of real estate. Initial preparation for employment is typically through specific training in appraisal with subsequent career progression based on progressively responsible experience.” Assistant State Assessor is placed within this family and assigned class code PD0851.

**AKPAY Code:**

AKPAY Codes are assigned to job classes for use in computer systems which cannot use the six-digit Class Codes established with the revision of the Classification Outline on July 1, 2006. The AKPAY Code for new job classes is a five-digit alpha-numeric code beginning with K and numbered in sequence.

State Assessor’s AKPAY Code remains P2655. Assistant State Assessor is reassigned P2656.

**Fair Labor Standards Act**

The two positions in this study are covered by the minimum wage and maximum hour provisions of the Fair Labor Standards Act of 1938, as Amended (FLSA). While exemption from the provisions of the Act are determined based on the specific circumstances of an individual employee on a work-week basis, there are general aspects of the classes and their influence on the exemptions for employees in bona fide executive, professional, or administrative positions that can be addressed in general. Analyses specific to the individual duties of the positions in these job classes are contained within the Position Allocation section of this memo.

To be eligible for exemption as an Executive Employee, the employee’s primary duty must be management of a customarily recognized subdivision of the organization; include customarily and regularly directing the work of two or more other employees; and include authority to hire or fire other employees or make recommendations as to the change of status of other employees that are given particular weight. Employees in the State Assessor and Assistant State Assessor job classes would not typically meet the primary duty criteria for exemption from the overtime requirements of the FLSA as Executive Employees, specifically due to the fact that it is not a requirement for the either job class to customarily and regularly direct the work of two or more other employees.

To be eligible for exemption as a Professional Employee, the employee's primary duty must be work requiring knowledge of an advanced type in a field of science or learning, which is customarily acquired by a prolonged course of specialized intellectual instruction; or be work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor. The work of these two job classes does not require knowledge customarily acquired through a bachelor's degree in a professional field; and the work is not in a field of artistic or creative endeavor. Employees in these job classes do not meet the primary duty criteria for exemption from the overtime requirements of the FLSA as Professional Employees.

To be eligible for exemption as an Administrative Employee, the employee's primary duty must be office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and include the exercise of discretion and independent judgment with respect to matters of significance. The regulations state: "Work directly related to management or general business operations includes, but is not limited to, work in functional areas such as tax; finance; accounting; budgeting; auditing; insurance; quality control; purchasing; . . . legal and regulatory compliance; and similar activities." Discretion and independent judgment "involves the comparison and the evaluation of possible courses of conduct, and acting or making a decision after the various possibilities have been considered." The term "matters of significance" refers to the importance or consequence of the work performed. The State Assessor and the Assistant State Assessor have the authority to formulate, affect, interpret, or implement management policies or operating practices and provide consultation and expert advice to management. Employees in these job classes meet the primary duty criteria for exemption from the overtime requirements of the FLSA as Administrative Employees.

**Internal Alignment:**

The salary range of a job class is determined based on internal consistency within the state's pay plans, in accordance with merit principles, with the goal of providing fair and reasonable compensation for services rendered and maintaining the principle of "like pay for like work." In evaluating internal consistency, the difficulty, responsibility, knowledge, skills, and other characteristics of a job are compared with job classes of a similar nature, kind, and level in the same occupational group and job family or related job families.

While conducting class studies, the Division of Personnel & Labor Relations has been asked to consider the potential impact of the Market Based Pay Initiative. The Market Based Pay Initiative was designed to temporarily adjust salary range assignments when specific recruitment criteria (AAM 130.020) for a job class family subgroup are met. While the Division is aware of the recruitment and retention problems for many of the State's job classes, the internal alignment process for determining and assigning pay ranges in a class study follow standard procedures. Therefore, range adjustments resulting from the Market Based Pay Initiative may not be considered in the internal alignment process.

In examining the internal alignment of State Assessor, the class characteristics were compared to those of job classes in the PD08 Job Family, Real Estate Appraisal of the Government Management and Infrastructure Occupational Group. Comparisons within this family were made to the following classes:

Class Code	Range	Class Title
PD0842	18	Appraiser II
PD0843	21	Appraiser III
PD0821	21	Right-of-Way Review Appraiser I
PD0822	22	Right-of-Way Review Appraiser II
PD0813	18	Right-of-Way Agent III
PD0814	20	Right-of-Way Agent IV
PD0815	21	Right-of-Way Agent V
PD0816	23	Right-of-Way Agent VI

In addition, comparison was made to the State Petroleum Property Assessor in the PC05 Job Family, Revenue and Audit of the Business Development and Regulation Occupational Group:

Class Code	Range	Class Title
PC0580	24*	State Petroleum Property Assessor

\*Range assignment was temporarily adjusted to R26 effective 9/16/06 due to the Market Based Pay Initiative.

The Appraiser II, R18, estimates the market value of a wide variety of adequately described properties or property interests as of a specific date. The class specification, which was last reviewed in a study in 2002, states the Appraiser II is the journey level of the series in which incumbents appraise various types of real property ranging from small, unimproved tracts through highly developed complexes, including agricultural lands, tidelands, and timberlands.

The Appraiser III, R21, is a single position job class that manages the Department of Natural Resources real property appraisal program, reviews appraisals completed by professional appraisers, and supervises professional staff. The class specification, which was last reviewed in a study in 2002, states the incumbent reviews and approves or rejects appraisal reports submitted by staff or contract appraisers. In addition, the incumbent serves as the technical expert for all issues concerning real property appraisal, develops policy and procedures for the appraisal program, drafts and reviews regulations and legislation, and provides expert testimony for litigation.

The duties and responsibilities assigned to the Appraiser job class series are limited to real property assessment within the Department of Natural Resources, specifically state-owned land for the purpose of determining a fair sale value. The State Assessor and Assistant State Assessor job classes perform the more specialized appraisal process of determining the annual full value estimates of all taxable real and personal property in the state. As manager of the Office of the State Assessor, the scope of the State Assessor is broader in nature than the Appraiser III. The Assistant State Assessor operates as a high level specialist as opposed to the journey level Appraiser II.

The Right-of-Way Review Appraiser I, R21, acts as a technical appraisal specialist performing a right-of-way function of a complex specialized nature in the appraisal field of eminent domain. The class specification, which was last reviewed in a study in 1985, states this job class is the

specialized, non-supervisory professional review appraiser. Work requires an extensive knowledge of appraisals, appraisal review, and eminent domain.

The Right-of-Way Review Appraiser II, R22, functions as the statewide Senior Review Appraiser. The class specification, which was last reviewed in a study in 1985, states responsibilities for this job class include technical advice and/or assistance to the State Right-of-Way Chief, Review Appraisers, Fee Appraisers and Regional Supervising Appraisers, with a focus on eminent domain, as well as supervision of incumbents in the Right-of-Way Appraiser I job class. The Right-of-Way Review Appraiser II reviews all appraisals prepared and submitted by regional staff appraiser, fee appraisers, and appraisals submitted by property owners. In addition, positions in the job class ensure appraisal reports conform to established procedures in accordance with laws and regulations.

The Right-of-Way Review Appraiser job classes focus on the review of eminent domain appraisals. The job classes require extensive knowledge in the eminent domain specialty. The Right-of-Way Review Appraiser II functions as the assistant to the Right-of-Way Chief, and has substantial supervisory responsibility as the Senior Review Appraiser. As manager of the Office of the State Assessor, the State Assessor is responsible for establishing, enforcing and evaluating standardized and equitable property valuation methods throughout the State of Alaska in addition to supervising the daily operations of the Office. The State Assessor does not function as an assistant. As a specialized, non-supervisory professional review appraiser, the Right-of-Way Review Appraiser I job class is similar in scope and complexity to the Assistant State Assessor.

The Right-of-Way Agent class series, which was last reviewed in a study in 1982, is composed of six levels, with the Right-of-Way Agent III, R18, job class being the advanced journey level. Positions at the Right-of-Way Agent III level receive the most difficult assignments in negotiations, appraisals and relocations assistance where complex factors are a consideration, such as situations where commercial or income producing properties are involved. Right-of-Way Agent IV, R20, contains two options and functions as either a unit supervisor or a headquarters position setting regional operations policy. The Right-of-Way Agent V, R21, contains two options and functions as either the assistant to the head of a regional Right-of-Way office or as the head of the Right-of-Way Unit at the Ted Stevens Anchorage International Airport.

The Right-of-Way Agent VI, R23, supervises the Right-of-Way and Land Acquisition section in the Standards and Technical Services Division or a Regional Right-of-Way section. The class specification states positions in this job class provide general direction to the right-of-way programs in planning for projects, resolving difficult problems, and coordinating work with other sections, divisions and state agencies.

The Right-of-Way Agent class series is responsible for acquiring land through negotiations or eminent domain actions, providing relocation assistance to displaced persons, and managing state owned right-of-way property. While the class series works with property and its value, the Right-of-Way focus is on land acquisition and eminent domain. With six job class levels and several regional offices, the work encompassed by the Right-of-Way Agent class series has an inherently different level of responsibility and scope from the duties of the Office of the State

Assessor. Comparisons between this class series and the State Assessor and Assistant State Assessor job classes are not appropriate for the purposes of internal alignment.

The State Petroleum Property Assessor, R24, plans, directs and organizes staff services for petroleum property assessing and recommends policies and regulations for that section. The class specification, which was last reviewed in a study in 1978, states the position in this job class supervises or performs property assessments of the most complex nature and develops appraisal methods and procedures for assessing oil and gas exploration, productions, and pipeline transportation property.

The State Assessor and the State Petroleum Property Assessor are assigned a similar scope of responsibility in that both job classes oversee a statewide assessment function. Unlike the State Assessor, however, the State Petroleum Property Assessor functions as a hearing officer for the Department of Revenue on appeals by taxpayers seeking adjustment of oil and gas property taxes. In addition, the State Petroleum Property Assessor assists in the preparation of bid specifications, details, and special requirements for contractual agreements with professional firms engaged in the practice of providing consulting and related services in the field of oil and gas property valuations. The State Petroleum Property Assessor is also responsible for the supervision and review of contractors' performance.

The duties and responsibilities assigned to the State Assessor are broader in nature than the Appraiser III and the Right-of-Way Review Appraiser II job classes. The State Petroleum Property Assessor job class is assigned a greater scope of duties and responsibilities than the State Assessor job class. The State Assessor job class is appropriately allocated at salary range 23.

The duties and responsibilities assigned to the Assistant State Assessor are more closely aligned with the specialized expert Right-of-Way Review Appraiser I than the journey Appraiser II. The Assistant State Assessor job class is appropriately allocated at salary range 21.

### **Position Allocation:**

#### *Current Classification:*

<u>PCN</u>	<u>Class Title</u>	<u>Code</u>	<u>Rg</u>	<u>Loc</u>	<u>BU</u>	<u>Type</u>	<u>FLSA</u>
216018	State Assessor	P2655	22	EBA	SS	FACL	Y

#### *Approved Classification:*

<u>PCN</u>	<u>Class Title</u>	<u>Code</u>	<u>Rg</u>	<u>Loc</u>	<u>BU</u>	<u>Type</u>	<u>FLSA</u>
216018	State Assessor	P2655	23	EBA	SS	FACL	Y
085102	Assistant State Assessor	P2656	21	EBA	GG	FACL	Y

CDL: N Arms/Ammo: N Strike Class: 3 Org Code: 08015001

Type of Action: Update, Salary Range Change (PCN 216018); New Position (PCN 085102)

Effective date: 02/16/2007 Input date: \_\_\_\_\_ By: \_\_\_\_\_

PCN 216018, as the manager of the Office of the State Assessor, is responsible for establishing, enforcing, and evaluating standardized and equitable property valuation methods throughout the state. It supervises PCN 085102, Assistant State Assessor, and a nonpermanent PCN, 08N007, Appraiser II. The duties and responsibilities of the position meet the definition and distinguishing characteristics of the State Assessor job class. The position is appropriately placed in the Supervisory Bargaining Unit. The position meets the administrative and executive criteria for exemption under the Fair Labor Standards Act and is not eligible for overtime. While the State Assessor job class itself does not meet the criteria for exemption as an Executive Employee under the Fair Labor Standards Act, as previously stated in the FLSA section of this memo, the incumbent supervises two positions, manages the Office of the State Assessor, and has the authority to hire and fire employees and, therefore, meets the criteria for exemption as an Executive Employee. It should be noted that, when the nonpermanent position expires, the Executive Employee exemption will not apply if the incumbent supervises only the one Assistant State Assessor position.

PCN 085102 is a new position created to provide technical assistance in support of all functions in the Office of the State Assessor. The position focuses on determining full and true value estimates for boroughs and cities in the state, monitoring assessment practices for taxing jurisdictions to ensure compliance with state and federal tax laws, and offering assistance to municipal officials through consultation and workshops. The duties and responsibilities of the position meet the definition and distinguishing characteristics of the Assistant State Assessor job class. The position is appropriately placed in the General Government Bargaining Unit. The position meets the administrative criteria for exemption under the Fair Labor Standards Act and is not eligible for overtime.

**Conclusions:**

After review of the duties and responsibilities of positions within the Office of the Assessor, the Assistant State Assessor job class is reestablished and updated. The State Assessor job class is also updated. The new range assignments are 21 and 23, respectively.

All changes are effective February 16, 2007.

Attachments:

Final class specifications

cc: Michael Black  
Division Director  
Department of Commerce, Community, and Economic Development

Sam Thomas, Director  
Division of Administrative Services  
Department of Commerce, Community, and Economic Development

Management Services – General Group

Technical Services – General Group

Employee Services