B-8

STATE OF NEW JERSEY

In the Matter of Jessica Collins, Department of Corrections	:	FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION
CSC Docket No. 2016-3	:	Classification Appeal

ISSUED: NOV 06 2015 (SLK)

Jessica Collins appeals the attached decision of the Division of Agency Services (Agency Services) that the proper classification of her position with the Department of Corrections is Personnel Aide 1. The appellant seeks a classification of Personnel Assistant 3.

The record in the present matter establishes that Ms. Collins'[1] permanent title is Personnel Aide 1. The appellant is assigned to the Office of the Chief of Staff, Office of Human Resources, Custody Recruitment and reports to Jennifer Rodriguez, Personnel Assistant 1. She does not have any supervisory responsibility.[2] Ms. Collins sought a reclassification of her position, alleging that her duties are more closely aligned with the duties of a Personnel Assistant 3. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties she performs a Personnel Aide 1. Agency Services reviewed and analyzed the PCQ completed by the appellant. On December 15, 2014, Agency Services conducted a telephone audit. In its decision, Agency Services determined that the duties performed by the appellant were consistent with the definition and examples of work included in the job specification for Personnel Aide 1.

On appeal, Ms. Collins states that Agency Services limited its discussion of her duties to only include technical functions and did not indicate that she provides guidance, direction, and recommends alternatives in order to achieve budgetary

[1] Personnel records indicate that the appellant's last name has been changed to Saleem.
[2] The appellant's PCQ indicated that she assigned and reviewed the work of a Principal Clerk Typist, but did not prepare performance evaluations for this employee.

goals and serves as the Assistant Supervisor for the unit in her supervisor's absence. The appellant presents that her duties include organizing, assigning, and reviewing a team of technical and clerical employees engaged in processing personnel documents, the maintenance of personal records for candidates going through the pre-employment process, and data processing needs. The appellant provides that her duties involve assigning and instructing employees, coordinating their work, and analyzing the unit workload in order to regulate work flow to ensure timely, efficient processing. Ms. Collins indicates that since the review of her position, there has been a change in her unit's organization and now she no longer oversees a Secretarial Assistant III who was on loan to her unit and a Principal Clerk Typist and instead oversees one technical employee, a Personnel Trainee, and two Clerk Typists. Further, while the appellant acknowledges that a classification appeal is a "snapshot in time" and that an increase in the volume of work is not an event warranting the reclassification of a position, she claims that the change in the organization has increased the volume, complexity, and diversity of the duties she now performs. She indicates that her current duties include overseeing all sections of the pre-employment process for the Correction Officer Recruit title which includes processing over 3,000 applications, scheduling candidates, overseeing staff so that all phases of the pre-employment process are accomplished, ensuring that certifications are properly disposed so that vacancies can be fulfilled throughout the State's correctional facilities, and entering information in databases. The appellant represents that she consistently reviews operating procedures and prepares statistical data related to recruitment matters to make recommendations for improvement, utilizes extensive knowledge of various laws and regulations that relate to matters involving external organizations, participates in new employee orientation, maintains a log of recruits' location preferences and makes institutional assignments based on departmental vacancies, and reviews pre-employment processes and evaluates their efficiency and effectiveness in order to recommend solutions to upper management.

In response, Agency Services presents that the appellant is now indicating that she performs duties that were not listed in her PCQ or Performance Assessment Review (PAR). However, it provides that the majority of these new duties are encompassed in the examples of work for the job specification for the Personnel Aide 1 title. Further, Agency Services indicates that the one exception to this is that she now lists that she oversees a Personnel Trainee. However, it asserts that this duty is inappropriate for a Personnel Aide 1 and should be reassigned since an incumbent in a para-professional title should not be overseeing a professional title. Agency Services also states that the revised Table of Organization that the appellant submitted on appeal is different than the one provided at the time of the audit and therefore cannot be considered on appeal. It argues that the preponderance of the appellant's duties are considered para-professional duties rather than professional in nature and therefore her duties do not rise to a Personnel Assistant 3 classification.

CONCLUSION

The definition section of the job specification Personnel Aide 1 states:

> Under general direction of a supervisory official in the personnel office of a State department, institution, or agency, performs paraprofessional technical duties in connection with and support of one or more various general personnel program areas requiring the independent application of [Civil Service] and Department of the Treasury rules, regulations, policies, and procedures to varying situations; may function as a lead worker in a large unit or as the supervisor in a small unit; does related work as required.

The definition section of the job specification for Personnel Assistant 3 states:

> Under supervision of a supervisory official in a State department, institution, or agency, performs moderately difficult personnel work pertinent to one or more major personnel program areas such as classification, recruitment, personnel orientation and training, personnel research, administrative services, employee counseling and personnel services, and management assistance; does other related work.

In the present matter, the appellant's position is properly classified as Personnel Aide 1. A review of Ms. Collins' supervisor's comments from the telephone audit indicate that her primary and/or new duties at the time of the review consisted of Phase 4 processing such as scheduling candidates and consulting with vendors to schedule medical and psychological examinations, reviewing and processing medical and psychological folders, processing and reviewing costs of medical examinations, processing general correspondence to candidates, creating sign-in sheets, entering attendance information from sign-in sheets into a database, and other related duties. These duties are also consistent with her PAR for the period ending June 14, 2015. Additionally, the appellant's PCQ indicated that she assigned and reviewed the work of a Principal Clerk Typist. Accordingly, while the appellant may spend some of her time performing higher level professional duties, the majority of the appellant's duties as described by her supervisor at the time of the review as well as many of the new duties the appellant submits on appeal consist of para-professional work. Additionally, the increase in the appellant's volume of work has no effect on the classification of a position currently occupied, as *positions*, not employees are classified. *See In the Matter of Debra DiCello* (CSC, decided June 24, 2009). Further, the fact that some of an employee's assigned duties may compare favorably with some examples of work found in a given job specification is not determinative for classification purposes,

since, by nature, examples of work are utilized for illustrative purposes only. Moreover, it is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed. For purposes of determining the appropriate level within a given class, and for overall job specification purposes, the definition portion of the job specification is appropriately utilized. Additionally, the fact that the appellant assigned and reviewed the work of a clerical employee at the time of the review is also consistent with a Personnel Aide 1 classification.

It is also noted that the appellant indicates she is now overseeing a Personnel Trainee after an internal reorganization. However, as the Personnel Aide 1 title is a para-professional title, it is inappropriate for the appellant to oversee the work for a Personnel Trainee, which is a professional title, and this responsibility should be reassigned.

ORDER

Therefore, the Civil Service Commission concludes that the position of Jessica Collins is properly classified as a Personnel Aide 1.

This is the final administrative determination in this matter. Any further review is to be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 5th DAY OF NOVEMBER, 2015

Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
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Attachment

c: Jessica Collins
James Mulholland
Kenneth Connolly
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Chris Christie
Governor
Kim Guadagno
Lt. Governor

STATE OF NEW JERSEY
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Robert M. Czech
Chair/Chief Executive Officer

May 21, 2015

Ms. Jessica Collins
Department of Corrections
Custody Recruitment Unit
Whittlesey Road
PO Box 863
Trenton, New Jersey 08625-0863

RE: Classification Appeal – Personnel Aide 1
AS Log #12140008, Position #092482, EID #000707085

Dear Ms. Collins:

This is to inform you, and the Department of Corrections, of our determination concerning your classification appeal. This determination is based upon a thorough review and analysis of all information and documentation submitted and a telephone audit conducted with you, and your immediate supervisor Jennifer Rodriguez, on December 15, 2014.

Issue:

You are appealing your current title of Personnel Aide 1 (W14) is not consistent your current assigned duties and responsibilities. You contend that the title Personnel Assistant 3 (Y22) is consistent with the duties that you currently perform.

Organization:

Your position is located in the Department of Corrections, Office of the Chief of Staff, Office of Human Resources, Custody Recruitment. You report directly to Jennifer Rodriguez, Personnel Assistant 1 (Y28) and you have responsibility for overseeing one (1) position of Principal Clerk Typist.

Finding of Fact:

The primary responsibilities of your position include, but are not limited to the following:

- Providing technical assistance to Department Of Correction's (DOC) management, employees, union representatives and/or the public regarding the interpretation of Civil Service Commission's rules within New Jersey Administrative Code (NJAC) Title 4A as it relates to eligibility, removal from consideration, and/or unit policies and procedures.

- Maintaining statistical data for managerial reports which include projecting anticipated costs of candidates' medical evaluations in preparation for the annual budget.

- Reviewing billing invoices from medical practitioners and/or determining preliminary approvals prior to submitting to the Business Office for payment.

- Responding to inquiries from the general public, current candidates, and former candidates.

- Under the direction of the Personnel Assistant 1, assisting in other program areas of Custody Recruitment including: implementation of Phases 1, 2, and 3 of the Pre-Employment process, proctoring tests, attending candidate meetings, assigning new recruits, assisting in the review of unit procedures and policies and/or recommending changes.

Review and Analysis:

Your position is currently classified by the title Personnel Aide 1 (W14-63234). The definition section of the job specification for this title states:

> "Under general direction of a supervisory official in the personnel office of a state department, institution, or agency, performs paraprofessional technical duties in connection with and support of one or more various general personnel program areas requiring the independent application of Department of Personnel and Department of the Treasury rules, regulations, policies, and procedures to varying

> situations; may function as a lead worker in a large unit or as the supervisor in a small unit; does related work as required."

You contend that the title Personnel Assistant 3 (Y22-63253) is an appropriate title for your position. The definition section of the job specification for this title states:

> "Under supervision of a supervisory official in a state department, institution, or agency, performs moderately difficult personnel work pertinent to one or more major personnel program areas such as classification, recruitment, personnel orientation and training, personnel research, administrative services, employee counseling and personnel services, and management assistance; does other related work."

The Examples of Work include: assisting, as directed and working independently or as one of a team, in reviewing personnel related programs and activities and in evaluating their implementation and administration including some responsibilities for data information tasks and adherence to overall personnel policy; assisting in installing, using, and as needed changing the reporting systems for assessing performance including workload volume, quality, and effectiveness; and reviewing, as directed, personnel operations including the design of new or revision of existing systems and procedures to improve effectiveness, efficiency, and management controls.

A review of your primary job duties and responsibilities finds that the position is primarily responsible for: coordinating the Phase 4 processing of candidates for Correction Officer Recruit vacancies including: ensuring candidates are notified of appointments; consulting with vendors to schedule appointments; creating sign-in sheets and/or forwarding to all parties involved; entering attendance information from sign-in sheets into database; providing technical assistance to Department of Correction's (DOC) management, employees, union representatives and/or the public regarding the interpretation of Civil Service Commission's rules within New Jersey Administrative Code (NJAC) Title 4A as it relates to eligibility, removal from consideration, and/or unit policies and procedures; and maintaining statistical data for managerial reports which include projecting anticipated costs of candidates' medical evaluations in preparation for the annual budget.

The preponderance of assigned duties and/or responsibilities that you perform are significantly descriptive of tasks assigned to the title Personnel Aide 1.

Determination:

Based upon the findings of fact above, it is my determination that the assigned duties and responsibilities of your position are properly classified by the title, Personnel Aide 1 (W14-63234).

Please be advised that in accordance with *N.J.A.C.* 4A:3-3.9, you may appeal this decision within twenty (20) days of receipt of this letter. This appeal should be addressed to Written Records Appeals Unit, Division of Appeals and Regulatory Affairs, PO Box 312, Trenton, New Jersey 08625-0312. Please note that the submission of an appeal must include a copy of the determination being appealed as well as written documentation and/or argument substantiating the portions of the determination being disputed and the basis for the appeal.

Sincerely,

Joseph Ridolfi

Joseph Ridolfi, Team Leader
Agency Services

JR/rmd

c: Judy Lang, Chief of Staff, Department Of Corrections
John Elfo, Manager, Department Of Corrections