



STATE OF NEW JERSEY

In the Matter of Zachary Schagrín,
Department of the Environmental
Protection

CSC Docket No. 2023-2257

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**FINAL ADMINISTRATIVE ACTION
OF THE CHAIR/
CHIEF EXECUTIVE OFFICER
CIVIL SERVICE COMMISSION**

Classification Appeal

ISSUED: August 24, 2023 (SLK)

Zachary Schagrín appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of his position with the Department of Environmental Protection is Geologist 2, Environmental Protection (Geologist 2). The appellant seeks a Research Scientist 3 classification.

The record in the present matter establishes that the appellant’s permanent title is Geologist 1. The appellant sought reclassification of his position, alleging that his duties were more closely aligned with the duties of a Research Scientist 3. The appellant reported to Peter Sugarman, Research Scientist 1.¹ In support of his request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the duties that he performed as a Geologist 1. Agency Services reviewed and analyzed the PCQ and all information and documentation submitted. Agency Services also interviewed the appellant and Sugarman about the appellant’s duties. Agency Services found that the appellant’s primary duties and responsibilities entailed, among other things: conducting field-based scientific research on the geology of New Jersey; conducting field work through the year to collect raw data; collecting raw analytical data and preparing this information to generate new maps and reports; preparing structural analysis and statistical data; and conducting cartographic-based research and preparation of publications. 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 Geologist 2.

¹ Personnel records indicate that Sugarman retired, effective June 30, 2023.

On appeal, the appellant submits letters of support for his appeal from Helen Rancan, Section Chief, Environmental Protection, and Sugarman. In Rancan's letter, she notes that she was interviewed, but the determination does not reference her interview. The appellant asserts that there were many inaccuracies in the determination. The appellant states that when the interviewer attempted to read back his responses during the interview, the recitation often would be inaccurate, which the interviewer would not allow him to correct. Further, the interviewer acknowledged that she could not read his PCQ due to the small font size. He claims that this demonstrates that the interviewer was not properly prepared for the interview, and he would have resubmitted his PCQ with a larger font size prior to the interview if he had been asked. The appellant provides that he did resubmit a PCQ with larger font after his interview. Moreover, the appellant disputes six claims that were presented in the determination letter, and he explains why he disputes each claim.

CONCLUSION

N.J.A.C. 4A:3-3.9(e) states that in classification appeals, the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the Geologist 2 (P22) job specification states:

Under the limited supervision of a Geologist 3, Environmental Protection, or other supervisory official in the Department of Environmental Protection, performs professional work relating to the collection/analysis of geological, hydrogeological, or geophysical data pertaining to environmental problems including groundwater resources, geological hazards pollution, and subsurface migration of pollutants; provides technical expertise, instruction, assistance, and consultation; does other related duties as required.

The definition section of the Research Scientist 3 (P25) job specification states:

Under direction of a Research Scientist 1 or other supervisory official in a state department, institution, or agency, conducts or participates in research projects or developed programs in a specified professional field; does other related work.

Initially, the appellant asserts that the determination was based on inaccuracies because the interviewer indicated that she could not read his original

PCQ prior to the interview, and she did not provide him a chance to present a PCQ with larger font prior to the interview. Additionally, he claims that the determination was based on mistakes because the interviewer was unable to accurately read back his responses during the interview, and he was not given an adequate opportunity to ensure that the interviewer had his responses recorded correctly. However, it is noted that prior to the determination letter being issued, the appellant did have a chance to resubmit his PCQ with larger font. Additionally, the appellant did submit an attached document with his PCQ, which explained the assertions that he made in his PCQ. Therefore, the record indicates that the interviewer had the appellant's accurate responses prior to the determination letter being issued.

Regarding the support letters submitted in conjunction with the appellant's request, it is noted that the appointing authority's representative and the appellant's program manager disagreed with the appellant's requested title. Regardless, while these opinions may be considered in making a determination, it is this agency that is responsible for determining position classification based on its review of the duties presented.

In this matter, the determination found that the appellant's primary duties were conducting field-based scientific research on the geology of New Jersey, conducting field work through the year to collect raw data, collecting raw analytical data and preparing this information to generate new maps and reports, preparing structural analysis and statistical data, and conducting cartographic-based research and preparation of publications. It is noted that while the appellant disputes some of the claims in the determination letter, the appellant has not disputed the findings of fact regarding his primary duties. Further, while the determination letter indicates that the appellant conducts scientific research, the majority of the appellant's primary duties are consistent with the Geologist title series, and more specifically, the Geologist 2 title.

ORDER

Therefore, it is ordered that this appeal be denied.

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

DECISION RENDERED BY THE
THE 24TH DAY OF AUGUST, 2023

Allison Chris Myers

Allison Chris Myers
Chair/Chief Executive Officer
Civil Service Commission

Inquiries
and
Correspondence

Nicholas F. Angiulo
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Zachary Schagrin
Phiroza Stoneback
Division of Agency Services
Records Center