



STATE OF NEW JERSEY

In the Matter of Viktor Ristov, State
Judiciary

CSC Docket No. 2025-559

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

Classification Appeal

ISSUED: December 12, 2024 (SLK)

Viktor Ristov appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of his position with the State Judiciary is Information Technology Analyst 2 (ITA2). The appellant seeks an Information Technology Analyst 3 (ITA3) classification.

The record in the present matter establishes that the appellant's permanent title is ITA2. The appellant sought reclassification of his position, alleging that his duties were more closely aligned with the duties of an ITA3. The appellant reports to Mohamed Asad, Court Executive 2B. In support of his request, the appellant submitted an Employee Reclassification Request (ERR) detailing the duties that he performs as an ITA2.¹ Agency Services reviewed and analyzed the information in the ERR and all information and documentation submitted including a Job Information Questionnaire (JIQ) and statements from the appellant's supervisor and Assistant Director. Agency Services found that the JIQ report illustrated that the highest level of duties that the appellant was performing as a primary function fell within the Information, Technology Band. It noted that the lead worker duties that the appellant indicated that he performed were not endorsed and the remaining higher-level duties that the appellant indicated accounted for only 10 percent of his total job responsibilities. Therefore, in its decision, Agency Services determined that the

¹ The appellant did not submit a Position Classification Questionnaire. However, the information in the ERR provides similar information that is found in a Position Classification Questionnaire.

preponderance of the appellant's primary duties did not meet the criteria for the title of ITA3 and his position did not warrant a reclassification.

On appeal, the appellant explains the complexity and nature of assigned duties. Also, the appellant provides information regarding one project to demonstrate the work that he did and to indicate that he resolved work that one now-resigned ITA3 and the Lead System Architect (LSA) could not complete. Further, the appellant states that the ITA3 did not resolve bugs independently but did so in conjunction with the LSA. Moreover, the appellant highlights how the data shows that he helped the ITA3 resolve some of her tasks and how she could not resolve some tasks even with help from the LSA, but he could resolve them because he had certain technical expertise which they did not possess. Additionally, the appellant emphasizes that the data demonstrates how much work he did and that he was able to complete highly complex tasks that neither the ITA3 nor the LSA could complete. Further, the appellant presents data from another project to indicate that he has more knowledge than others. Moreover, the appellant asserts that the contractors that the State Judiciary hired did not possess his level of knowledge, he worked many additional hours to prevent projects from failing, and no other ITA2 or ITA3 has the knowledge that he has regarding these projects.

Additionally, the appellant asserts that he performs lead worker duties. Specifically, he asserts that he mentors an employee intern, and he submits emails to demonstrate that he suggested certain work for the intern, the business team's supervisor approved the work, and that he scheduled a meeting to go over the assignments. Further, the appellant presents 14 emails to show that he reviews the work of contractors who worked with him on the UIUX Sprint. He believes that these emails demonstrate that he is the team lead because the contractors reach out to him by email, his reply emails note the mistakes that the contractors made and what needs to change, and they provide his confirmation when the code is correct and has been entered into the main program. Moreover, the appellant submits emails to show that the contractors schedule meetings to resolve UIUX issues where he is indicated to be the team leader, and then he later, as the team lead, invites developers from his team to join the meetings. Also, he presents a history file that shows the moments when changes have been made in the main file of the program in a timeframe of about eight to 10 months from the beginning of the project for the creation of a new Americans with Disabilities Act compliant user interface for the Judiciary Pega application that he and four contractors worked on. He highlights that his username indicates that he made more than 90 percent of the changes which signifies that he was the lead worker who decided what should go into the main program. Finally, the appellant submits 30 emails to demonstrate that he has been the requestor for change management production deployments for the last 30 months. He asserts that change management is a document that should be approved by the manager of the teams, and after the approval, a deployment is scheduled for the change to be deployed in a production environment. The appellant claims that this task is done by the lead

worker who has the most responsibility because it is the final step of the monthly cycle when a team of developers work together to deploy a change into the production environment to be used by the end users. He asserts that in all other teams, this task is performed by the LSA, contractor, or ITA3 because these positions are the leads. The appellant attaches change management requests where he is the requestor, and his supervisor is listed as the surrogate approver. The appellant argues that these emails demonstrate that the appointing authority approved his performance of lead worker duties because his manager approved the requests. He asserts that without his manager's approval, he would not perform this task, and he contends that these change management requests prove that the appointing authority endorsed his lead worker duties.

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 Information Technology Analyst 3 job specification states:

Under general supervision of a supervisory official, employees at this level: perform the complex professional IT work involved in system analysis. Define business requirements. Design, test, program, configure, support and maintain IT systems. Act as the highest level technical specialist and perform project management. Provide consultative services. Mentor/coach lower level professional employees and act as a lead worker. Administer multiple systems and networks.

The definition section of the Information Technology Analyst 2 job specification states:

Under the limited supervision, employees at this level: perform the professional IT work involved in system analysis. Define business requirements. Design, test, program, install, support and maintain IT systems using advanced technical planning. Perform network and system administration.

In this matter, a review of the definition section of the job specifications for the subject titles indicates that the key distinguishing characteristics between the two titles is that ITA3s mentor/coach lower-level professional employees and act as a lead worker while an ITA2 is neither a mentor/coach nor a lead worker. A leadership role

refers to those persons whose titles are non-supervisory in nature but are required to act as a leader of a group of employees in titles at the same or a lower level than themselves. Duties and responsibilities would include training, assigning, and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations. Being a lead worker does not mean that the work is performed by only one person but involves mentoring others in work of the title series. *See In the Matter of Henry Li* (CSC, decided March 26, 2014).

Concerning the intern, the record does not indicate that the appellant's supervisor assigned or approved the appellant mentoring an intern and only endorsed assignments can be considered for a classification position review. Instead, the record indicates that the appellant suggested that he provide an intern assignments in which someone else, who the appellant has identified as the business team's supervisor, approved. Additionally, the "mentee" was an intern, so it cannot be said that this mentorship rises to the level of a professional level employee. Further, as the "mentee" is a student, which presumably signifies that the intern is only working either limited hours and/or for a limited duration, it cannot be said that "mentoring" is a primary duty for the appellant on a regular and recurring basis.

Referencing the contractors, the appellant has not provided any evidence that his supervisor assigned the appellant with the responsibility of leading the contractors. Therefore, it is unclear if the documentary evidence that the appellant submits is evidence of him being a lead worker or merely demonstrating that he collaborated with the contractors. Regardless, to the extent that this evidence does demonstrate that he was leading the contractors, as the appellant has not submitted any evidence that his supervisor assigned, approved, or otherwise endorsed his leading these contractors, this cannot be the basis for a change in his position classification.

Regarding the change management documentation, this is not evidence that the appellant was assigned lead worker responsibilities of specific named employees on a regular and recurring basis by his supervisor. Instead, the documentation indicates that the appellant made change requests and it was his supervisor who had the ultimate responsibility for these changes as the one who approved them. Moreover, even if ITA3s are change requestors on other teams, this does not signify that he is performing lead workers duties as a classification appeal cannot be based solely on a comparison to the duties of another position.

Finally, concerning the appellant's assertion due to his claimed superior technical knowledge, he, either independently or in conjunction with a higher-level employee (ITA3) and contractor (LSA), resolved technical issues that these individuals could not resolve without his expertise and worked additional hours since he had the technical expertise to complete projects from failing, how well or efficiently


an employee does his or her job, length of service, volume of work and qualifications have 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).

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 ON
THE 12TH DAY OF DECEMBER, 2024



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