



STATE OF NEW JERSEY

In the Matter of Physical Therapy
Assistant, Department of Human
Services and Department of Health

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

CSC Docket No. 2024-2427

Job Reevaluation Appeal

ISSUED: February 14, 2025 (HS)

Kristin Lally appeals the Change in the State Classification Plan reevaluating the Physical Therapy Assistant (PTA) title from class code 14 to class code 15. The appellant seeks an evaluation of class code 18.

As background, the appellant petitioned the Division of Agency Services (Agency Services) for a reevaluation of the subject title. In support of her request, the appellant highlighted that since 2019, a PTA has been able to work under the direct *or general* supervision of a Physical Therapist (PT), *see N.J.A.C. 13:39A-7.1* and *N.J.A.C. 13:39A-2.1*,¹ and that a PTA is required to complete 30 credits of continuing education and competency every two years to maintain licensure, *see N.J.A.C. 13:39A-9.2(a)*. The appellant stated that there were a number of job duties that the title performs but that were not indicated in the job specification such as: assisting in the evaluation to aid in establishing diagnosis, prognosis, problems, development of plans and preparation of written treatment programs based on evaluation of patient data; administering treatment procedures based upon results of evaluation by the PT, compatible with the treatment plan and designed to achieve goals; educating and assisting the patient's family in providing follow-up care;

¹ "Direct supervision" means the presence of the supervising licensed PT on site, available to respond to any consequence occurring during any treatment procedure. "General supervision" means supervision by a PT in which the supervising PT is available at all times by telecommunications but is not required to be on-site for direction and supervision. The supervising PT shall assess, on an ongoing basis, the ability of the PTA to perform the selected interventions as directed. *N.J.A.C. 13:39A-2.1*.

attending staff conferences and conferring with staff and specialist consultants; performing minor-to-moderate repairs and adjustments related to rehabilitation/habilitation equipment; implementing a patient care delivery system in conjunction with appropriate medical staff; and maintaining program implementation standards according to State and federal laws and regulations. In response, Agency Services provided the appointing authorities, here the Department of Human Services and the Department of Health, with a proposed job specification, which the appointing authorities deemed satisfactory. Ultimately, Agency Services determined that the know-how and problem solving factors for the subject title had increased based on the increased scope and complexity of the work, warranting an upward reevaluation of one class code for PTA. Agency Services did not factor into the reevaluation the 2019 change that permitted PTAs to receive general supervision. Specifically, per *N.J.A.C. 13:39A-7.1(g)*, a PT shall ensure that a PTA has worked, either in New Jersey or in another state, for at least *one year prior to providing general supervision* of that PTA. Thus, because the change to the supervisory requirement could not be considered a universal change to the job content of the PTA title, it was not considered. In addition, Agency Services did not factor into the reevaluation the continuing education and competency requirement. Specifically, such mandatory retraining was considered a condition of continued employment and thus was not considered.

On appeal, the appellant complains that the class code increase was much lower than she was expecting based on the knowledge, skills, experience, new level of independence afforded when general supervision was granted in 2019, and the requirement that 30 credits of continuing education and competency be completed every two years to maintain licensure. She also points to the disparity between PTAs and other healthcare professionals within the State that have similar or fewer educational requirements and responsibilities but are assigned a higher range/code. The appellant seeks a reexamination of the information previously submitted. The appellant also complains that she had no clear and definitive guidance on the criteria for a reevaluation.

CONCLUSION

N.J.A.C. 4A:3-4.2(a) provides that State service job titles are evaluated, and existing titles reevaluated, based on the New Jersey Job Content Evaluation System and that “class codes” shall be designated for job titles through this evaluation process. *N.J.A.C. 4A:1-1.3* defines a “class code” as a designation assigned to job titles in State service with ranking based upon an evaluation of job content.

N.J.A.C. 4A:3-4.3(b) provides that a request for a reevaluation must identify and explain the areas of substantive change in job content or other change in job evaluation factors through written narrative and a revised job specification, which shall be marked to indicate changes, and include evidence that the change in job

content affects all employees in the title. *N.J.A.C.* 4A:3-4.3(d) provides that appeals shall contain all information which was presented to the prior level, a statement identifying the specific portions of the prior level determination being contested, and the basis for appeal. *N.J.A.C.* 4A:3-4.3(e) provides that information and/or argument which was not presented at a prior level of appeal shall not be considered.

An appropriate job reevaluation is based on an analysis of the job content factors and whether or not there has been a significant change in them over time. The factors of know-how, problem-solving, and accountability as required by the title series are the criteria which are analyzed as part of a job reevaluation to determine the appropriate levels of salary compensation. *See In the Matter of Motor Carriers Title Series* (CSC, decided November 7, 2008).

Pursuant to *N.J.A.C.* 4A:3-4.3(b), evidence of substantive change in job content is the basis for reevaluation of a title. Substantive change in job content is documented evidence of higher-level work than that explicitly or implicitly defined in the current job specification. Thus, knowledge of the mechanics of the New Jersey Job Content Evaluation System is not necessary for a successful request. It is noted that jobs may change without a substantial change in job content. For example, due to changes in technology, individuals serving in the State Office Centrex Operator title series who had used manual or mechanical means to perform assigned tasks, were subsequently required to do so electronically. Thus, while the medium used changed, the essential tasks of the job did not. *See In the Matter of State Office Centrex Operator Title Series* (Commissioner of Personnel, decided August 14, 1990). *See also In the Matter of Crew Supervisor Mechanics and Assistant Crew Supervisor Mechanics* (Commissioner of Personnel, decided January 25, 1990).

Know-how speaks to the sum total of every kind of skill, however gained, required for successful performance on the job; problem-solving refers to the original “self-starting” thinking required for the job for analyzing, evaluating, creating, reasoning, arriving at, and making conclusions; and accountability is the measure of answerability for an action and for the consequences thereof on the part of an incumbent in the title (stated in terms of dollar impact).

In this case, it is clear that the duties of a PTA have evolved over time to include additional and more complex duties. The increased knowledge and skills needed to adequately perform these duties positively impacted the compensable factor of know-how, resulting in a higher know-how point value from the previous evaluation. The know-how rating is composed of three dimensions: human relations, managerial, and technical skills. The human relations skills range from 1, Basic, to 3, Critical; technical skills are rated from A, Primary, to I, Eminent Authority; and managerial skills are rated from I, Limited, to VI, Total. For example, the prior know-how factor for PTA was CI3 152. In other words, the position was considered that of a Vocational professional (C) working primarily within a single activity with

appropriate concern for related activities, or “Limited” (I), and alternative or combined skills in understanding, servicing, developing, and motivating people are important in the highest degree, or “Critical” (3). In accordance with the New Jersey Job Content Evaluation System, these factors equate to 152 know-how points. The current know-how evaluation, after consideration of the information presented, is DI2 175. Thus, the position is considered that of an Advanced Vocational professional (D) working primarily within a single activity with appropriate concern for related activities, or “Limited” (I), and understanding, influencing, or serving people are “Important” considerations (2). In other words, the evaluation appropriately recognized that the increased scope and complexity of work positively impacted the know-how factor. The appellant has not shown that the know-how score for the title was not properly increased.²

Further, the increase in complexity positively impacted the compensable element of problem-solving. In the prior evaluation, the subject title’s problem-solving factor was C3 (25%) 38. In other words, an incumbent’s thinking is guided and circumscribed by somewhat diversified procedures and precedents (C) involving differing situations requiring search for solutions within area of learned things, or “Interpolative” (3) approximately 25% of the time (the scale is either 25% or 29%). Conversely, the current problem-solving factor, while also assigned C3 (25%), had a corresponding increase due to the increased know-how score. Thus, the know-how score of 175 for the current evaluation increased the problem-solving score to 43. Once again, the appellant has not demonstrated that the problem-solving score was not properly increased.

The reevaluation found the compensable factor of accountability for the subject title remained unchanged. Accountability is evaluated based on an incumbent’s freedom to act, from prescribed actions up to Governor/Chief Justice (A to I), with an annual impact magnitude measured from under \$100 million to over \$2 billion (1 to 6), with either a remote, contributory, shared, or primary impact (R, C, S, or P). Incumbents in the title have always been required to, under direction, assist in administering varied types of physical therapy treatments to patients to restore function, prevent disability, and help patients reach maximum performance. The subject title’s evaluation factor for accountability remains C1C (43). In other words, an incumbent’s freedom to act, by the nature or size of the job, is subject, wholly or in part, to standardized practice and procedures; general work instructions; and supervision of progress and results, or “standardized” (C), and the impact of their decisions, on an annual basis, is under \$100 million (1), but they have a “contributory” (C) impact on end results. Thus, the answerability for an action on the part of an

² Agency Services has advised that even if the human relations skills dimension had remained “Critical” (3), there would be no impact to the know-how score of 175 and thus no impact to the overall evaluation.

incumbent and the consequences thereof have not changed. Therefore, there is no evidence that the accountability score should be increased.

Based on the above, the evaluation for PTA resulted in a score of DI2 (175) C3 25% (43) C1C (43) for a total of 261 points. In accordance with the New Jersey Job Content Evaluation System, a total score between 252 and 276 converts to a class code 15. Accordingly, since the PTA title is a 40-hour workweek title, it was appropriately slotted into salary range 16.

Although the appellant has again, in the instant appeal, highlighted the 2019 regulatory change that permitted PTAs to receive general supervision and the continuing education and competency requirement, Agency Services appropriately did not factor these items into the reevaluation. In this regard, because a PTA who has not worked for at least one year is ineligible to receive general supervision, the 2019 regulatory change cannot be said to have effected a universal substantive change in the job content of the PTA title. Concerning the continuing education and competency requirement, such mandatory retraining was considered a condition of continued employment rather than a substantive change in job content and thus had no impact on the reevaluation.

Accordingly, the appellant has not demonstrated that the change in job content was significant enough to warrant anything more than the one-class code upward reevaluation already determined appropriate.

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 6TH DAY OF FEBRUARY, 2025



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