



STATE OF NEW JERSEY

In the Matter of Sharon Metzger,
Juvenile Justice Commission

CSC Docket No. 2024-1351

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

Classification Appeal

ISSUED: July 1, 2024 (SLK)

Sharon Metzger appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of her position with the Juvenile Justice Commission is Senior Management Assistant. The appellant seeks an Administrative Assistant 2 classification.

The record in the present matter establishes that the appellant's permanent title is Administrative Assistant 2. The appellant initially sought reclassification of her position, alleging that her duties were more closely aligned with the duties of an Administrative Assistant 1. The appellant reported to Brian Blisard, Assistant Director, Juvenile Justice Commission. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the duties that she performed as an Administrative Assistant 2. Agency Services reviewed and analyzed the information in the PCQ and all information and documentation submitted including an Organizational Chart and the appellant's Performance Assessment Review (PAR). Agency Services found that the appellant's primary duties involved acting as the principal assistant for the Assistant Director by providing administrative support services; preparing, reviewing, and answering correspondence for the Director of Community Programs and Regional Administrator; maintaining various reports by checking for errors, inconsistencies, or discrepancies, and making corrections as needed; distributing overtime reports, variance reports, and verification forms to Community Program Superintendents for review and signature; attending weekly meetings and trainings and preparing

agendas and additional paperwork for dissemination; maintaining calendars for the Director of Community Programs and Regional Administrators; and providing additional support to Superintendents in the absence of a Program Secretary.

Agency Services noted that the Administrative Assistant 1 title is used to classify positions which assist an Assistant Commissioner, Deputy Commissioner, or other Executive Officer with responsibility for more than one division in a State department while the Administrative Assistant 2 title is used to classify positions which assist a Division Director in a State department, institution, or agency. Further, it found that an Assistant Director is entitled to an Administrative Assistant 3 for administrative support. Therefore, not only did Agency Services find that the appellant's position could not be classified as an Administrative Assistant 1, but her position could not be classified as an Administrative Assistant 2 since she reported to an Assistant Director. Agency Services additionally noted that the Management Assistant title series is distinguishable from the Administrative Assistant title series as Management Assistants can simultaneously provide administrative services to more than one manager. Therefore, since the appellant provided administrative support services to other administrators in the agency, it found that the Senior Management Assistant title was the appropriate classification of her position and the change would be effective July 2, 2022.

In response to Agency Services' determination, the appointing authority submitted to Agency Services the appellant's updated PCQ. Further, the appointing authority indicated to Agency Services that instead of reclassifying the appellant's position to Senior Management Assistant, it was choosing to remove out-of-title duties to keep her position classified as an Administrative Assistant 2, and she would report to a Regional Program Supervisor. In reply, Agency Services advised the appointing authority that a Regional Program Supervisor is not entitled to an Administrative Assistant 2 for administrative support. Therefore, Agency Services determined that the appellant's position was still appropriately classified as a Senior Management Assistant.

On appeal to the Civil Service Commission (Commission), the appellant notes that she has been employed by the State for 34 years and her permanent position has been Administrative Assistant 2 since 1999. She asserts that she has been consistently exceeding the expectations as an Administrative Assistant 2. Further, the appellant states that since an Executive Assistant 2 retired in 2018 and a Secretarial Assistant 2 retired in 2019, she has taken on additional administrative support work for the Office of Community Programs, Director's Office. She submits her PARs from 2019 to 2023 to demonstrate that additional duties have been added to her responsibilities. The appellant highlights that in Agency Services' determination, it noted that the duties for Administrative Assistant 1 and 2 are nearly identical and the defining factors between the two titles are the reporting relationship and the level of the supervisor that the incumbent supports. She

presents that for the past four and one-half years, she was the only administrative staff reporting to the Deputy Executive Director, Director, and two Regional Administrators which is why she requested that the classification of her position be reviewed.

Moreover, the appellant indicates that after she was informed about Agency Services' initial determination, an appointing authority human resources manager asked her if she wanted to remain as an Administrative Assistant 2 or accept a lateral position as a Senior Management Assistant. In response, she signed a form declining the Senior Management Assistant position. The appellant notes that she did not appeal Agency Services' initial determination because she was advised by the appointing authority that she could keep her Administrative Assistant 2 title. Further, the appointing authority removed her out-of-title duties so that she could remain as an Administrative Assistant 2, and it submitted her updated PCQ to Agency Services to demonstrate that these duties were removed. Consequently, the appellant thought that the matter was closed. However, the appointing authority's human resources department informed her that she would be provisionally appointed as a Senior Management Assistant, and her new title would include additional duties, multiple supervisors, and no additional compensation. The appellant believes that the only reason to reopen this matter is to acknowledge that she is working above and beyond her current title, and rather than compensating her, she is "being forced to accept a lateral position." She indicates that as per the new collective negotiations agreement (CNA), she is scheduled to receive the 11th step salary increase. Instead, if she is provisionally appointed as a Senior Management Assistant, she provides that her step salary increase will be delayed.¹ The appellant states that she is an asset to the appointing authority, and she is more than qualified to be considered for a higher title and/or salary range. She reiterates her request that if her position cannot be reclassified to a higher title, she wishes that the classification of her position remain as an Administrative Assistant 2.

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 Administrative Assistant 2 (59904, P21) job specification states:

¹ Agency records indicate that the appellant was placed on step 10 of salary range P21 when she was considered to have been serving provisionally pending qualifying examination as a Senior Management Assistant effective July 2, 2022. She remains provisional in the title.

Assists a Division Director in a State department, institution, or agency by performing and coordinating administrative support services; does other related work as required.

The definition section of the Administrative Assistant 1 (59905, P24) job specification states:

Assists an Assistant Commissioner, Deputy Commissioner, or other Executive Officer in a State department, institution, or agency by performing and coordinating administrative support services; does other related duties.

The definition section of the Senior Management Assistant (56493, P21) job specification states:

Under the direction of a manager in a State department, institution or agency, or within a local government jurisdiction, provides varied, complex administrative services in support of a manager(s) within the area of assignment; assists in the coordination of management/administrative activities of an assigned unit or work area; does other related duties.

In the present matter, a review of the job specifications indicates that the key distinction between the Administrative Assistant 1 and 2 titles is the level of supervisor that an incumbent assists. Specifically, an Administrative Assistant 1 assists an Assistant Commissioner, Deputy Commissioner, or other Executive Officer while an Administrative Assistant 2 assists a Division Director. However, a review of the PCQ that the appellant submitted with her initial request indicated that she assisted an Assistant Director. Therefore, the appellant's position could not be classified as either an Administrative Assistant 1 or 2. Additionally, the job specifications indicate that the key distinction between the Administrative Assistant title series and the Management Assistant titles series is that Administrative Assistants assist one manager while Management Assistants may assist more than one manager. Therefore, since the appellant indicated that she also supported other managers in addition to an Assistant Director, Agency Services correctly classified the appellant's position as a Senior Management Assistant.

Thereafter, in attempt to keep the appellant's position classified as an Administrative Assistant 2, the appointing authority removed some of the appellant's responsibilities, assigned her to assist a Regional Program Supervisor, and the appellant submitted an updated PCQ which Agency Services reviewed. However, the appointing authority's organizational chart indicates that a Regional Program Supervisor is a **lower-level** position than an Assistant Director while the appellant needed to report to a higher-level supervisor if her position was to be appropriately

classified as an Administrative Assistant 2. Therefore, Agency Services correctly determined that the appellant's position was still classified as a Senior Management Assistant since such a classification does not rely on the level of the supervisor that the appellant assists.

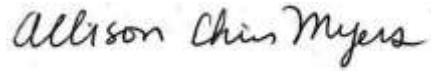
Additionally, the appellant presents that she has been employed by the State for 34 years; she has been an Administrative Assistant 2 since 1999; her work exceeds the expectations of an Administrative Assistant 2; and she has additional duties since other support staff retired in 2018 and 2019. However, 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). Regarding the appellant's noting that the appointing authority gave her a choice to decline the reclassification to the Senior Management Assistant title and to stay as an Administrative Assistant 2, as set forth above, the appellant's position was still found to be properly classified as a Senior Management Assistant. With respect to the appellant's comments that she now has additional duties; has multiple supervisors; is not receiving new compensation; and her belief that the only reason to reopen this matter is to acknowledge that she is working above and beyond her current title, as indicated above, the appellant is not working above her title as an Administrative Assistant 1 or 2 because she is not assigned to solely assist a Director or a higher-level manager. Further, concerning the appellant's statement that if she is provisionally serving as a Senior Management Assistant her salary increase will be delayed, a perceived delay in compensation is not a basis for misclassifying a position as the position classification is based on the work that is performed under the State Classification System and not compensation. Therefore, based on the foregoing, the appellant's position is appropriately classified as a Senior Management Assistant. Accordingly, the necessary steps are to be taken in order for the appellant to have the opportunity to achieve permanent status in the title.

ORDER

Therefore, it is ordered that this appeal be denied, and the necessary steps be taken in order for the appellant to have the opportunity to achieve permanent status as a Senior Management Assistant.

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

DECISION RENDERED BY THE
THE 28TH DAY OF JUNE, 2024



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Chair/Chief Executive Officer
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