

CSC
B-18



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Maria Ciocotisan,
Department of the Treasury

Classification Appeal

CSC Docket No. 2014-2129

ISSUED:

(HS)

Maria Ciocotisan appeals the attached decision of the Division of Classification and Personnel Management (CPM), which found that her position with the Department of the Treasury is properly classified as a Senior Clerk. She seeks a Technical Assistant 2, Treasury job classification in this proceeding.

The appellant received a regular appointment to the title of Clerk on June 16, 2012. In September 2013, the appellant requested a classification review of her position located in the Department of the Treasury, Unclaimed Property, Claims. CPM received the request and performed a review of all submitted information and also performed a telephone audit with the appellant and her immediate supervisor. CPM's review found that the primary responsibilities of the appellant's position included the following: categorizing and prioritizing claims upon written receipt from claimants; initiating, printing and labeling claims for scanning; assisting in the supervision of the members of the Unclaimed Property clerical staff; utilizing both electronic and manual recording for claims and documents; maintaining various types of logs used by the Unclaimed Property unit; responding to inquiries from Unclaimed Property staff and referring complicated inquiries to her supervisor; maintaining and retrieving claim files; receiving, sorting and preparing new and pending mail for scanning; and mailing all claim forms, letters and documents on a daily basis. Based on the foregoing, CPM found that the appellant's

assigned duties and responsibilities were commensurate with the title of Senior Clerk, effective October 5, 2013.¹

On appeal, the appellant reiterates duties that she provided on her Position Classification Questionnaire (PCQ). Specifically, the appellant states that for 25% of her time, she categorizes and prioritizes claims upon written receipt from claimants; performs research using the Wagers database to determine if there is any property owing to claimants; initiates claims, prints bar codes and attaches the bar codes to claimant inquiries; and prepares the inquiries for scanning into the unclaimed property database. For 15% of her time, she answers inquiries from claim processors, and researches and corrects errors found in unclaimed property claims; reviews and analyzes complicated claims and refers the most technical claims to her supervisor; categorizes and maintains a file of technical claim issues that occur intermittently to be used by her unit as a reference for claim processing assistance; and assists in updating the unclaimed property scan tracking system. For 10% of her time, she assists her supervisor by initiating levy claims and Office of Management and Budget refund claims that are processed from the "CATS" system. Additionally, the appellant asserts that she performs the following duties, which she argues are consistent with examples of work from the job specification for Technical Assistant 2, Treasury: assisting in conducting the daily operations of the unit by responding to routine queries from claimants via correspondence and telephone; assisting in obtaining and compiling data required by the professional staff and assisting in analyzing and interpreting data; entering data provided by professional staff onto forms or into databases by manual and electronic means; utilizing various types of electronic and manual records and information systems; and maintaining records and files.

CONCLUSION

The definition section of the job specification for Clerk states:

Under immediate supervision, performs routine, repetitive clerical work of a varied nature as a beginner at the entrance level of employment which includes a relatively small proportion of difficult tasks; does other related duties as required.

The definition section of the job specification for Technical Assistant 2, Treasury states:

¹ Agency records indicate the appellant was provisionally appointed, pending promotional examination procedures, to the title of Senior Clerk, effective October 5, 2013, and received a regular appointment to that title effective May 8, 2014.

Under the direction of a Technical Assistant 1, Treasury or other supervisory official in the Department of the Treasury, or, in the Lien Section, Office of the Public Defender collects, reviews and verifies data from forms, claims, applicants, returns, assessments, proposals, and error listings, determines the completeness and accuracy of information, benefits, and/or liability reported or calculated; makes routine eligibility, award, and liability determinations and calculations; does related work.

The definition section of the job specification for Senior Clerk states:

Under direction of a supervisory official, does clerical work involving the exercise of independent judgment and containing a relatively large proportion of difficult tasks, and/or instructs individuals in the work of a clerical unit; does other related duties as required.

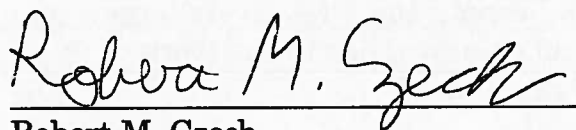
Based upon a review of the information presented in the record, the appellant's position is appropriately classified as Senior Clerk. In this regard, the appellant's duties do not have as the primary focus the duties listed in the definition section of the job specification for Technical Assistant 2, Treasury. Although the appellant lists several duties that she argues are consistent with examples of work from the job specification for Technical Assistant 2, Treasury, 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. In this regard, there is no indication in the record that the appellant makes eligibility, award or liability determinations and calculations. A Technical Assistant 2, Treasury applies technical knowledge in order to make routine determinations based on the data that is gathered and reviewed. While the appellant argues that she obtains data and corrects errors, there is no indication that these duties are performed in order to make determinations. Based on a consideration of the appellant's PCQ as well as the primary responsibilities of the position as determined by CPM, the primary functions of the appellant's position involve clerical work consistent with the Senior Clerk title. Accordingly, a review of the record fails to establish that the appellant has presented a sufficient basis to warrant a Technical Assistant 2, Treasury classification of her position.

ORDER

Therefore, the position of Maria Ciocotisan is properly classified as a Senior Clerk.

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

**DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 22ND DAY OF OCTOBER, 2014**



**Robert M. Czech
Chairperson
Civil Service Commission**

**Inquiries
and
Correspondence**

**Henry Maurer
Director
Division of Appeals and
Regulatory Affairs
Written Record Appeals Unit
Civil Service Commission
P.O. Box 312
Trenton, NJ 08625-0312**

Attachment

- c. **Maria Ciocotisan
Douglas Ianni
Kenneth Connolly
Joseph Gambino**



Chris Christie
Governor
Kim Guadagno
Lt. Governor

STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
CLASSIFICATION AND PERSONNEL MANAGEMENT
P. O. Box 313
Trenton, New Jersey 08625-0313

Robert M. Czech
Chair/Chief Executive Officer

February 10, 2014

Ms. Maria Ciocotisan
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

RE: Classification Appeal - Clerk

Position # [REDACTED] CPM Log # [REDACTED], EID # [REDACTED]

Dear Ms. Ciocotisan:

This is to inform you, and the Department of the Treasury, 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, Patricia Rockal on January 31, 2014.

Issue:

You are appealing that your current permanent title of Clerk (A04) is not consistent with your current assigned duties and responsibilities. You contend that the title Technical Assistant 2, Treasury (A15) is consistent with the duties that you currently perform.

Organization:

Your position is located in The Department of the Treasury; Unclaimed Property, Claims; and you report directly to Patricia Rockal; Principal Claims Investigator (R23). Your position does not possess supervisory responsibility.

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Finding of Fact:

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

- Categorizing and prioritizing claims upon written receipt from claimants. Duties include initiating, printing, and labeling claims for scanning.
- Assisting in the supervision of the members of the Unclaimed Property clerical staff.
- Utilizing both electronic and manual recording for claims and documents. Maintaining various types of logs used by the Unclaimed Property unit.
- Responding to inquiries from Unclaimed Property staff, referring complicated inquiries to your supervisor.
- Maintaining and retrieving claim files.
- Receiving, sorting, and preparing new and pending mail for scanning. Mailing all claim forms, letters, and documents on a daily basis.

Review and Analysis:

In reviewing your request, various titles were examined in relation to the overall duties being performed by your position to determine the appropriate classification for the tasks described by you and your supervisor.

Your position is currently classified by the title, Clerk (20042-A04). The definition section of the job specification for this title states:

“Under immediate supervision, performs routine, repetitive clerical work of a varied nature as a beginner at the entrance level of employment which includes a relatively small proportion of difficult tasks; does other related duties as required.”

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A Clerk is an entrance level worker that performs a variety of clerical duties. Your position has been assigned duties and responsibilities of a higher level than those associated with the title above.

Your classification appeal submission indicates that you believe the title Technical Assistant 2, Treasury (51633-A15) is an appropriate title for your position. The definition section for this title states:

“Under the direction of a Technical Assistant 1, Treasury or other supervisory official in the Department of the Treasury, or, in the Lien Section, Office of the Public Defender collects, reviews and verifies data from forms, claims, applicants, returns, assessments, proposals, and error listings, determines the completeness and accuracy of information, benefits, and/or liability reported or calculated; makes routine eligibility, award, and liability determinations and calculations; does related work.”

A Technical Assistant 2, Treasury reviews and verifies information from claims and makes routine eligibility award determinations. Your position does not perform duties consistent with the job definition section for the title above.

The definition section of the job specification for the title Senior Clerk (20043-A08) states:

“Under direction of a supervisory official, does clerical work involving the exercise of independent judgment and containing a relatively large proportion of difficult tasks, and/or instructs individuals in the work of a clerical unit; does other related duties as required.”

A Senior Clerk performs clerical work that contains a large proportion of difficult tasks and/or instructs individuals in the work of a clerical unit.

A review of your job duties and responsibilities finds that the main function of your position is to prepare and organize unclaimed property claims. Your position organizes assigned clerical work and instructs individuals in the work of a clerical unit; reviews, checks, and certifies claims for completeness and/or correctness; records varied types of data accurately; answers nonroutine inquiries for

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information originating within and without the department; and maintains essential records and files.

The preponderance of assigned duties and responsibilities of this position are significantly descriptive of the tasks assigned to the title Senior Clerk (20043-A08).

Determination:

Based upon the findings of fact above, it is my determination that the assigned duties and responsibilities of your position would be properly classified by the title Senior Clerk (20043-A08) effective October 5, 2013.

The Civil Service Commission will work with the Department of the Treasury to effectuate this transaction.

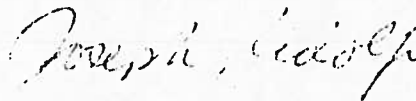
The New Jersey Administrative Code 4A:3-3.5(c)1 states that "within 30 days of receipt of the reclassification determination, unless extended by the Commissioner in a particular case for good cause, the Appointing Authority shall either effect the required change in the classification of an employee's position; assign duties and responsibilities commensurate with the employee's current title; or reassign the employee to the duties and responsibilities to which the employee has permanent rights. Any change in the classification of a permanent employee's position, whether promotional, demotional, or lateral, shall be effected in accordance with all application rules.

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, P.O. 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

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well as written documentation and/or argument substantiating the portions of the determination being disputed and the basis for the appeal.

Sincerely,



Joseph Ridolfi, Team Leader
Classification and Personnel Management

JR/tc

c: Ms. Joanne Pascucci, Department of the Treasury
PMIS Unit, CSC

