

B-60



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Steven Sagnip,
Department of the Treasury

CSC Docket No. 2014-2013

Classification Appeal

ISSUED: OCT 27 2014 (CSM)

Steven Sagnip appeals the attached decision of the Division of Classification and Personnel Management (CPM) that the proper classification of his position with the Department of the Treasury is Management Improvement Specialist 2. The appellant seeks an Administrative Analyst 1 classification.

The record in the present matter establishes that at the time the appellant requested a classification review, his permanent title was Management Improvement Specialist 2. The appellant's position is located in the Office of Management and Budget and he reports to James Kelly, Senior Executive Service. The appellant supervises one staff member. The appellant sought a reclassification of his position, contending that he was performing the duties of an Administrative Analyst 1. In support of his request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties he performed as a Management Improvement Specialist 2. CPM reviewed and analyzed the PCQ completed by the appellant and documentation submitted by the appointing authority. In its decision, CPM determined that the appellant's position was properly classified as Management Improvement Specialist 2.

On appeal, the appellant presents that CPM misunderstood his job responsibilities and the overall tasks that have been assigned to him by focusing on his specific duties while neglecting the "aggregate picture." He disagrees with the finding that the volume of his duties have increased due to retirements and attrition and explains that additional duties have been assigned to him that the appointing authority designates to higher titles. Specifically, the appellant states that when the Supervising Management Improvement Specialist retired, the

division director decentralized the duties and assigned those responsibilities to an individual within each unit. In this regard, he notes that with the exception of him, all these responsibilities have been assigned to employees in the other units serving in range 31 titles or higher. The appellant states that his development and expansion of the Land Building Asset Management System (LBAM) application as a Statewide application and his review of programs and activities in the Departments of Human Services, Transportation, Military and Veterans Affairs, Treasury, and Environmental Protection are examples of how his position is involved with the review of programs, activities, and the evaluation of their administration, which is consistent with an Administrative Analyst 1 classification. In support of his appeal, the appellant provides a copy of an analysis he constructed using data from multiple legacy systems, a report for the Treasurer's Office, a State of Work document that he is reviewing to ensure compliance with State procurement laws, and a copy of his March 2014 interim PAR. Therefore, the appellant maintains that from an aggregate perspective, his increased responsibilities correspond with a significant increase in difficulty in the tasks in dealing with organizational behavior, protecting the State's interest in contract negotiations, identifying business process issues, and implementing changes within different organizations. Accordingly, the appellant maintains that his position should be classified as Administrative Analyst 1.

In response, CPM presents that a position cannot be reclassified based solely in comparison to other positions that may be misclassified. Additionally, it notes that the appellant indicated that the primary change in his position was due to the increase in the volume of work and being assigned and volunteering for additional assignments. Further, given that the appointing authority does not support use of the Management Improvement Specialist 1 title, CPM notes that it reviewed various job specifications during the audit to best determine the level of the appellant's position and determined that the duties he performs are consistent with his permanent title of Management Improvement Specialist 2.

In reply, the appellant questions the capacity of CPM to fully understand the nature of the work he performs, let alone the difficulty. He also states that the opinion of his management cannot be discarded, since "[Office of Management and Budget] management establishes the parameters for classification." Thus, given the statements of his supervisor on the PCQ and the comments on his PAR suggest that he performs work of significant difficulty consistent with an Administrative Analyst 1 classification.

CONCLUSION

The definition section of the job specification for Administrative Analyst 1 states:

Under supervision of a supervisory official in a State department, institution, or agency, performs duties of significant difficulty and/or supervises staff involved with review, analysis, and appraisal of current department administrative procedures, organization, and performance, and prepares recommendations for changes and/or revision therein; does other related duties as required.

The definition section of the job specification for Management Improvement Specialist 2 states:

Under the direction of a Management Improvement Specialist 1 or other Administrative Officer, develops recommendations for improving the management, organization, and efficiency of State agency operations; responsible for identifying and recommending improvements to the management operations and organizations of State agencies; developing innovations utilizing "state-of-the-art" technology in the State's administrative operations; conducting studies of critical budget management issues; administration of the State's program to improve efficiency; performance of management consulting projects within State agencies; conducting special projects concerning State Budgetary or Administrative operations; does other related work.

Based on the information presented in the record, it is clear that the appellant's position is properly classified as Management Improvement Specialist 2. Essentially, the appellant argues that the prior duties of the Supervising Management Improvement Specialist were decentralized to staff members in his division's various units when that person retired. Thus, as he was assigned those duties in the Financial Reporting unit, and those duties were assigned to staff members in titles in salary ranges from 31 to 34 in the other units, this does not evidence an increase in the volume of work, but are rather additional responsibilities traditionally assigned to positions with higher classification. The Civil Service Commission (Commission) disagrees. In other words, the appellant is comparing the duties of his position to those performed by individuals in other titles in different units of the division. However, it must be emphasized that a classification appeal cannot be based solely on a comparison to the duties of another position, *especially if that position is misclassified*. In this case, the positions of the individuals that the appellant named in other units who also received some of the duties of the retired Supervising Management Improvement Specialist were not reviewed. Therefore, it is unclear if those positions are properly classified by their various titles.

Additionally, it is evident that the work he performs associated with such things as the LBAM system, the Financial Data Consolidation and Publication of

the New Jersey Comprehensive Annual Financial Report, and as Statewide Capital Asset Manager, improve the management, organization, and efficiency of State agency operations since those duties involve identifying and recommending improvements to the management operations and organizations of State agencies. Indeed, this work is clearly consistent with developing innovations utilizing "state-of-the-art" technology in the State's administrative operations critical to budget management issues. Further, 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 case, it is clear that the appellant is assigned duties consistent with a Management Improvement Specialist 2 classification.

In response to the appellant's contention that CPM's determination is flawed because its staff lacks the knowledge of the organization and the nature and level of difficulty of his work, it is noted that this agency's staff are not subject matter experts in the occupational field of a given interviewee. Their role is to elicit clear statements from the employee as they pertain to the duties and responsibilities of the position. Additionally, it is agency policy that all audits are reviewed by supervisory and managerial staff prior to a decision being finalized. *See In the Matter of David Baldasari* (Commissioner of Personnel, decided August 22, 2006) (Appellant's argument that this agency's staff did not comprehend the information he conveyed to him and had no experience in various computer systems resulted in a flawed position audit found to have no basis since this agency's staff role is to elicit information about the position and not to be a subject matter expert in a particular field); *In the Matter of Yvette Humphries* (Commissioner of Personnel, decided August 30, 2005) (Allegation that Consultant lacked the technical knowledge of computer terminology and other "technical information" provided at the on-site audit did not evidence that the position audit was flawed). In this case, other than the appellant's allegations, he has not demonstrated that CPM's audit process was flawed.

ORDER

Therefore, the Civil Service Commission concludes that the position of Steven Sagnip is properly classified as Management Improvement Specialist 2.

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

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

Robert M. Czech

Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
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Attachment

c: Steven M. Sagnip
Douglas Ianni
Kenneth Connolly
Joseph Gambino



Chris Christie
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Lt. Governor

STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
DIVISION OF CLASSIFICATION AND PERSONNEL MANAGEMENT
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Robert M. Czech
Chair/Chief Executive Officer

January 17, 2014

Mr. Steven Sagnip
Department of the Treasury
Office of Management & Budget
33 West State Street\
4th Floor, Room 4D
PO Box 221
Trenton, New Jersey 08625-0221

**RE: Classification Appeal – Management Improvement Specialist 2
CPM Log #10130219, EIN #000361687, Position #005361**

Dear Mr. Sagnip:

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 James Kelly on November 21, 2013.

Issue:

You are appealing your current permanent title of Management Improvement Specialist 2 (Y28) is not consistent your current assigned duties and responsibilities. You contend that the title Administrative Analyst 1 (R29) is consistent with the duties that you currently perform.

Organization:

Your position is located in the Office of Management & Budget. You report directly to James Kelly, Senior Executive Service (M98), and you have supervisory responsibility for one (1) Technical Assistant 1, Treasury position.

January 17, 2014

Finding of Fact:

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

- Developing and/or coordinating IBM Cognos Financial Statement Reporting application used to produce the New Jersey Comprehensive Annual Financial Report (CAFR).
- Coordinating developments and/or enhancements to the Land and Building Asset Management (LBAM) system.
- Coordinating and/or training for all state agencies in the LBAM system.
- Coordinating and/or project management for the Office of Management & Budget's (OMB) Cash Accounting Check Tracer System.
- Interpreting and/or analyzing systems, software applications, and/or procedures by the Department of the Treasury, OMB and/or Cash Accounting.
- Verifying with state agencies the accuracy of entries and/or compliance with OMB Circular letters prior to producing reports for use in CAFR audits.

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 Management Improvement Specialist 2 (Y28-50085). The definition section of the job specification for this title states:

"Under the direction of a Management Improvement Specialist I or other Administrative Officer, develops recommendations for improving the management, organization, and efficiency of State agency operations; responsible for identifying and recommending improvements to the management operations and organizations of State agencies; developing innovations utilizing "state-of-the-art" technology in the State's administrative operations; conducting studies of critical budget management issues; administration of the State's program to improve efficiency; performance of management consulting projects within State agencies; conducting special projects concerning State Budgetary or Administrative operations; does other related work."

Mr. Steven Sagnip

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You contend that the title Administrative Analyst 1 (R29-50076) is an appropriate title for your position. The definition section of the job specification for Administrative Analyst 1 (R29-50076) states: 2014 JAN 28 A 10:55

"Under supervision of a supervisory official in a state department, institution, or agency, performs duties of significant difficulty and/or supervises staff involved with review, analysis, and appraisal of current department administrative procedures, organization, and performance, and prepares recommendations for changes and/or revision therein; does other related duties as required."

The primary focus of the title Administrative Analyst 1 (R29-50076) is: supervising and personally reviewing programs/activities and evaluating their administration, objectives, efficiency, effectiveness, and suitability to current conditions, costs, and accomplishment using established procedures/standards; planning, conducting, developing of analytical studies of existing operations/routines for a division in a large department to determine feasibility for data processing and making recommendations in a large department/agency interfacing with the data center for a division director; planning investigations and supervising development of solutions to problem areas; identifying and working toward elimination of unnecessary and/or wasteful administrative practices/positions to determine where program and/or administrative duplication may exist; and/or analyzing operational problems brought to light through budget studies, requests, and hearings; compiles and interprets data, and appraises agency situations.

A review of your primary job duties and responsibilities finds that this position is primarily responsible for: developing and/or coordinating IBM Cognos Financial Statement Reporting application used to produce the New Jersey Comprehensive Annual Financial Report (CAFR); interpreting and/or analyzing systems, software applications, and/or procedures by the Department of the Treasury, OMB and/or Cash Accounting; and/or verifying with state agencies the accuracy of entries and/or compliance with OMB Circular letters prior to producing reports for use in CAFR audits.

During the audit, you stated that the primary change in your position is the increase in the volume of work as a result of the added responsibility due to attrition as result from retirements. However, changes in work volume are not a factor in the classification of a position.

Mr. Steven Sagnip

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The assigned duties and responsibilities that you perform as significantly descriptive of the tasks assigned to the title Management Improvement Specialist 2 (Y28-50085).

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Determination:

Based upon the findings of fact cited above, it is my determination that the assigned duties and responsibilities of your position are properly classified by your current title Management Improvement Specialist 2 (Y28-50085). Therefore, the classification of this position will remain unchanged.

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, PO 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 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/rmd

c: Joanne Pascucci, Manager, Department of the Treasury

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

PH.D. THESIS

BY

DR. [Name]