

B-6



STATE OF NEW JERSEY

In the Matter of Christina Boss,
Division of State Police, Department
of Law and Public Safety

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-40

Classification Appeal

ISSUED: NOV 21 2014 (CAG)

Christina Boss appeals the attached decision of the Division of Classification and Personnel Management (CPM) that her position is properly classified as Fingerprint Processing Technician 2. Appellant seeks an Assistant Supervisor, Fingerprint Technical Unit, classification in this proceeding.

The record in the present matter establishes that Boss' permanent title is Fingerprint Processing Technician 2. The appellant completed a Position Classification Questionnaire and CPM conducted a field audit of her position on May 8, 2013, and found that her assigned duties and responsibilities include: overseeing the Latent Print operations of an Automated Fingerprint Identification System (AFIS) at the headquarters site; inputting and verifying the accuracy of identified latent fingerprints utilizing the Forensic Archive Retrieval system (FARS); conducting searches of AFIS and Unsolved Latent (UL) databases; communicating with law enforcement personnel in order to retrieve evidence and provide research results; and supervising one subunit consisting of three subordinate employees. Based upon a review and analysis of the duties and responsibilities assigned to the appellant, CPM determined that the appropriate classification of her position is Fingerprint Processing Technician 2.

On appeal, the appellant argues that, although CPM's determination indicated that she does not supervise and coordinate the activities of subunits, none of the Assistants are qualified to supervise multiple subunits. She states that a subunit is either the tenprint operation or one of the four latent operations, which includes three remote sites in other regions of the State. She argues that the operations have

changed over the years and the focus for all Assistants is in only one area of operation. She also argues that she is the only acting Assistant who has experience in both areas (subunits) of the unit since she has been supervising the evening shift for several years, including the tenprint and latent operations. In addition, she argues that, although CPM's determination indicated that she does not assume the supervisory duties in the absence of the supervisor, when the supervisor is absent, all Assistants do their best to deal with whatever issues come up and, when they are unable to resolve the issues, they are given to the enlisted Unit Head. Further, she argues that she is following the same procedures as the Assistants in permanent titles. Under these circumstances, she argues that an Assistant Supervisor, Fingerprint Technical Unit, classification of her position is warranted.

Appellant submits a letter of support from Terri Kramer-McKinney, Supervisor, Automated Fingerprint Identification Unit (AFIU), who states that Boss supervises the latent operation at Headquarters, West Trenton, from 4:00 pm to 12:00 am and provides support to other locations when needed. She also states that each Assistant oversees one area of operation/subunit and the three current Assistants oversee the tenprint operation/subunit. In addition, she states that appellant provides latent operational coverage along with the remote site personnel. Further, she states that appellant previously supervised both tenprint and latent operations but, due to a shortage of staff, the evening and midnight shifts were merged. Additionally, she states that appellant does coordinate activities of the latent operation and frequently must reassign personnel in the latent area to assist with the tenprint duties when incoming arrests are backlogged. Moreover, she states that, although CPM determined that appellant does not assume supervisory duties, the unit supervisor duties are escalated to higher level positions due to the administrative nature, and Assistants will only assume immediate scheduling duties of the supervisor, which appellant has assumed in the past.

Ms. Kramer-McKinney supplements the record and further explains the operation of the Biometric Identification Unit (BIU), formerly the AFIU. She refers to the job specification for Assistant Supervisor, Fingerprint Technical Unit, and states that it should indicate "subunit(s)" which would describe the duties of all Assistant Supervisors in the past and current operations. She explains that there was previously a rotation of assignments at the main site at headquarters but, due to reduced staffing, Assistant Supervisors are assigned to a single subunit where they are experts in one area of operation.

In response, CPM states that Boss is not considered to be first assistant to the program supervisor since she does not assume the supervisory duties of the Supervisor in her absence. In addition, although she is responsible for overseeing the operations of a subunit, she is not responsible for supervising multiple subunits, as is indicated in the job specification.

It is noted that the job specification for the title of Fingerprint Processing Technician 2 was revised effective December 14, 2013.

CONCLUSION

The definition section of the job specification for Assistant Supervisor, Fingerprint Technical Unit, states:

Acts as first assistant to the Supervisor, Fingerprint Technical Unit, State Bureau of Identification, Records and Identification Section, Division of State Police, Department of Law and Public Safety; supervises and coordinates activities of subunits engaged in the operations of a multi-work station Automated Fingerprint Identification System (AFIS); does other related work.

The definition section of the job specification for Fingerprint Processing Technician 2 states:

Under the general direction of the Assistant Supervisor and/or the Supervisor, Fingerprint Technical Unit, State Bureau of Identification, Records and Identification Section, Division of State Police, assists in the supervision of and coordinates the efforts of Fingerprint Processing Technicians 1 and 2 in the classification, filing and searching of fingerprints utilizing the Henry System with extensions in concert with an Automated Fingerprint Identification System (AFIS) of fingerprint identification and classification; does other related work.

A thorough review of the entire record fails to establish that the appellant has presented a sufficient basis to warrant an Assistant Supervisor, Fingerprint Technical Unit, classification of her position. It is noted that this review is based on the duties performed at the time of the audit and the job specification on record at that time. It is also noted that the duties the appellant presents on appeal are essentially those reviewed by CPM and reviewed again on appeal. An incumbent serving in the title of an Assistant Supervisor, Fingerprint Technical Unit, performs such duties as, among other things, acting as first assistant to the Supervisor in supervising and coordinating the workload assigned to a subunit or subunits involved in operating an AFIS for processing, classifying and filing of fingerprints in possession of the Division of State Police. The appellant's position does not act as the first assistant to the Supervisor and does not supervise multiple subunits required for an Assistant Supervisor, Fingerprint Technical Unit classification.

With respect to her argument that she follows the same procedures as other employees in the Assistant title, a classification appeal cannot be based solely on a comparison to the duties of another position, *especially if that position is misclassified*. Additionally, the fact that some of an employee's assigned duties may

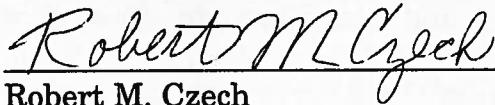
compare favorably with some examples of work found in a given job specification is not determinative for classification purposes since, by nature, examples of work are utilized for illustrative purposes only. Further, it is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed. Moreover, the duties identified through the audit and presented by the appellant on appeal are within the job specification of Fingerprint Processing Technician 2. Accordingly, the appellant has failed to present a sufficient basis to warrant an Assistant Supervisor, Fingerprint Technical Unit, classification of her position and her position is properly classified as Fingerprint Processing Technician 2.

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 BY THE
CIVIL SERVICE COMMISSION ON
THE 19TH DAY OF NOVEMBER 2014



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals
and Regulatory Affairs
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Written Record Appeals Unit
P.O. Box 312
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Attachment

c: Christina Boss
Colleen Gadsby
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

May 31, 2013

Christina Boss

Re: Classification Appeal – Fingerprint Processing Technician 2, Position #
000909, EID [REDACTED] Log # 11120086

Dear Ms. Boss:

This is to inform you of our determination concerning the classification appeal referenced above. The determination is based upon a thorough review and analysis of the Position Classification Questionnaire, organization chart, and information obtained during the audit conducted on May 8, 2013.

Issue:

You are serving permanently (RAP) in the title, Fingerprint Processing Technician 2 (17, A16, 45011) and contend you are performing duties and responsibilities commensurate with the title, Assistant Supervisor, Fingerprint Technical Unit (19, R18, 45014).

Organization:

Your position is currently assigned to the Identification & Information Technology Section, Division of State Police, Department of Law and Public Safety. Your supervisor is Terri Kramer-McKinney, Supervisor, Fingerprint Technical Unit (21, S20, 45015). You are responsible for the supervision of three subordinate personnel.

Findings of Fact:

You currently perform the following assigned duties and responsibilities:

- Oversee the Latent Print operations of an Automated Fingerprint Identification System (AFIS) at the headquarters site.
- Input and verify the accuracy of identified latent fingerprints utilizing the Forensic Archive Retrieval System (FARS).
- Conduct searches of AFIS and Unsolved Latent (UL) databases.

- Communicate with law enforcement personnel in order to retrieve evidence and provide research results.
- Supervise one subunit consisting of three subordinate employees.

Review and Analysis:

Currently, your position is classified in the title, Fingerprint Processing Technician 2 (17, A16, 45011). The definition section of this title states:

"Under the general direction of the Assistant Supervisor and/or the Supervisor, Fingerprint Technical Unit, State Bureau of Identification, Records and Identification Section, Division of State Police, assists in the supervision of and coordinates the efforts of Fingerprint Processing Technicians 1 and 2 in the classification, filing and searching of fingerprints utilizing the Henry System with extensions in concert with an Automated Fingerprint Identification System (AFIS) of fingerprint identification and classification; does other related work."

An incumbent properly classified in this title operates an Automated Fingerprint Identification System (AFIS) database to identify fingerprint matches. She/He communicates and prepares reports of findings to law enforcement personnel. She/He may provide assignments and guidance to Fingerprint Processing Technicians 1 and 2, assisting in their supervision.

You assist in the supervision of three employees and prepare their performance evaluations. They receive work assignments from the Supervisor, Fingerprint Identification Unit, which you may reassign as workflow demands.

You contend your position should be reclassified to the title, Assistant Supervisor, Fingerprint Technical Unit (19, R18, 45014). The definition section of this title states:

"Acts as first assistant to the Supervisor, Fingerprint Technical Unit, State Bureau of Identification, Records and Identification Section, Division of State Police, Department of Law and Public Safety; supervises and coordinates activities of subunits engaged in the operations of a multi-work station Automated Fingerprint Identification System (AFIS); does other related work."

The class specification for the title Assistant Supervisor, Fingerprint Technical Unit describes an incumbent who functions as first assistant to the program supervisor in the coordination of activities of more than one subunit.

The primary function of your position is the overview and operation of an AFIS database. You supervise one subunit consisting of three individuals. You also oversee the headquarters ten print processing when that areas supervisor is absent. You do not

Christina Boss
May 31, 2013

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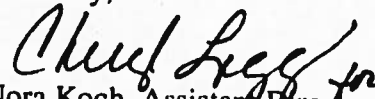
supervise or coordinate the workflow of the subunits and do not assume the supervisory duties of the Supervisor, Fingerprint Technical Unit, in her absence. Therefore, you are not considered to be first assistant to the program supervisor. The review of information obtained during the classification process revealed that you are performing duties consistent with the title, Fingerprint Processing Technician 2.

Determination:

In accordance with the Civil Service Commission's standards, your position does not meet the criteria established for the title Assistant Supervisor, Fingerprint Technical Unit (19, R18, 45014). By copy of this letter, the appointing authority is advised your position is presently properly classified in the title Fingerprint Processing Technician 2 (17, A16, 45011). The preparation of PES's and any supervisory duties currently assigned to your position must be removed, in accordance with the A bargaining unit, and a Position Classification Questionnaire completed and submitted as documentation of their removal.

According to the New Jersey Administrative Code 4A:3-3.9, you may appeal this determination within twenty (20) days of receipt of this notice. This appeal should be addressed to Written Record 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 written documentation and/or argument substantiating the portions of the determination being disputed and the basis for appeal.

Sincerely,



Nora Koch, Assistant Director
State and Local Operations

NK/CL/SR

C: Mirella Bednar
Sandy Roche
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