

B-11



STATE OF NEW JERSEY

In the Matter of Irene Williams,
Division of State Police, Department
of Law and Public Safety

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-43

Classification Appeal

ISSUED: NOV 21 2014 (CAG)

Irene Williams 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 Williams' 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 9, 2013, and found that her assigned duties and responsibilities include: working independently to oversee the operations of an Automated Fingerprint Identification System (AFIS) latent remote 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 occasionally supervising one subunit employee. 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, in 2008, she assumed the duties of the former Assistant Supervisor assigned at Hamilton upon his retirement based on her 25 years of fingerprint expertise and knowledge and abilities of AFIU operations. She also argues that, although CPM's determination indicated that she does not oversee other technicians, her duties require her to oversee the Hamilton operation without assistance immediately available to operate independently, and to make supervisory decisions that best represent the goals of the unit. She asserts that

there is not enough staff to send lower ranking positions to remote sites and it is more efficient to have an assistant supervisor who does not need work delegated and requires no immediate supervision. She also asserts that, while these duties are not exactly the same as duties at headquarters, the duties are comparable and qualify for the same compensation. In addition, she argues that, although CPM's determination indicated that she does not assume the duties of the unit supervisor, neither she nor any current Assistants are asked to assume those duties because of the administrative and personnel duties, and those duties are escalated to a higher level. Further, she argues that her supervision encompasses an entire operation and region of law enforcement officers which warrant a higher level position. Additionally, she states that, while she would like to see these positions reclassified to a more appropriate title, this is the current set-up of positions in the AFIU. Moreover, she argues that she should not be denied a promotion because the particular positions at remote sites may not reflect the job specifications exactly.

Appellant submits a letter of support from Terri Kramer-McKinney, Supervisor, Automated Fingerprint Identification Unit (AFIU), who states that the position at Troop C-Hamilton, CSI Headquarters Central, was authorized as Assistant Supervisor, Fingerprint Technical Unit, since the latent operation was opened there in 2006. She also states that all assistant supervisor positions within the AFIU report directly to the unit supervisor and coordinate the workflow for one area of operation (subunit). She asserts that, while the duties of each may be somewhat unique, the supervisory capacity is equivalent, and the duties have not changed and have already been established as the duties of an assistant supervisor in AFIU. She also asserts that this position requires the knowledge and abilities of an assistant supervisor since they make judgment calls and operational decisions without the benefit of an on-site supervisor to advise. She also states that all of the assistant supervisors with latent operation background have retired and they are unable to reassign those duties to current assistant supervisors. In addition, she states that this position has always been regarded as an opportunity for career advancement for personnel at headquarters.

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 Williams 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 coordinate activities of multiple subunits required for an Assistant Supervisor, Fingerprint Technical Unit classification.

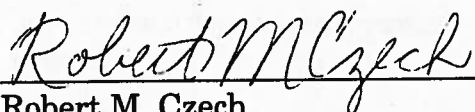
In response to the appellant's argument that she assumed the duties of an individual in the Assistant Supervisor title who retired, a classification appeal cannot be based solely on a comparison to the duties of another position, *especially if that position is misclassified*. Additionally, the fact 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 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
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Irene Williams
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 30, 2013

Irene Williams
[REDACTED]

Re: **Classification Appeal – Fingerprint Processing Technician 2, Position # 000955, EID # [REDACTED] Log # 11120111**

Dear Ms. Williams:

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 9, 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 one subordinate personnel.

Findings of Fact:

You currently perform the following assigned duties and responsibilities:

- Work independently to oversee the operations of an Automated Fingerprint Identification System (AFIS) latent remote 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.
- Occasionally supervise one subordinate employee.

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 one employee on an occasional basis and prepare his performance evaluation. You electronically check his work weekly.

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 independent overview and operation of an AFIS remote site. You supervise one subunit consisting of one individual whose work you occasionally spot check but do not assign. You do not supervise or coordinate the

Irene Williams
May 30, 2013

Page 3

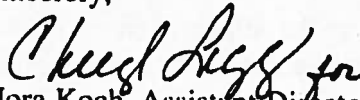
workflow of the subunits and do not assume the supervisory duties of the Supervisor, Fingerprint Technical Unit, in her absence. Therefore, you are not considered to be first assistant to the program supervisor. The review of information obtained during the classification process revealed that you are 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). 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
File