

B-32



STATE OF NEW JERSEY

In the Matter of Judith Petrecca,  
Department of the Treasury

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-2269

Classification Appeal

ISSUED: NOV 21 2014 (CAG)

Judith Petrecca appeals the attached determination of the Division of Classification and Personnel Management (CPM) that her position with the Department of the Treasury was properly classified as a Principal Clerk Typist. The appellant seeks a Technical Assistant 2, Treasury, classification.

The record in the present matter establishes that the appellant is permanent in the title of Principal Clerk Typist, and is assigned to work in Unclaimed Property Claims. She reports directly to Patricia Rockal, a Principal Claims Investigator. The appellant sought a reclassification of her position to Technical Assistant 2, Treasury. CPM performed a detailed analysis of the appellant's Position Classification Questionnaire (PCQ) and gathered information during a telephone audit conducted on February 26, 2014.

As a result, CPM found that the appellant's position was properly classified as a Principal Clerk Typist. Specifically, CPM found that the appellant's primary duties and responsibilities entail, among other things, categorizing and prioritizing claims upon written receipt from claimants including duties of 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 including maintaining various types of logs used by the Unclaimed Property unit; responding to inquiries from Unclaimed Property staff, referring complicated inquiries to her supervisor; maintaining and retrieving claim files; and receiving, sorting, and preparing new and pending mail for scanning including mailing all claim forms, letters, and documents on a daily basis.

In contrast, CPM noted that a Technical Assistant 2, Treasury, is responsible for reviewing and verifying information from claims and makes routine eligibility award determinations. CPM determined that the main function of Ms. Petrecca's position is to prepare and organize unclaimed property claims for investigators to make award determinations. Her position performs keyboarding of a technical and tabular nature requiring the use of considerable judgment; reviews, checks, and certifies unclaimed property claims; assists in supervising employees engaged in a variety of clerical work; and performs clerical work including the typing of a technical nature requiring knowledge of department laws, regulations, policies, and procedures as well as the frequent exercise of independent judgment. Thus, CPM maintained that the appellant's duties and responsibilities were commensurate with a Principal Clerk Typist classification.

On appeal to the Civil Service Commission (Commission), the appellant argues that the title of Principal Clerk [Typist] is not representative of, or consistent with, the duties she performs. She lists the duties she performs on a daily basis and the percentage of time she performs these duties. Specifically, she argues that 25% of her time is spent categorizing and prioritizing claims upon written receipt from claimants; performing research using the Wagers database to determine if there is any property owing to claimants; initiating claims, printing bar codes and attaching the bar codes to claimant inquiries; and preparing the inquiries for scanning into the unclaimed property database. She also argues that 15% of her time is spent answering inquiries from claim processors, researching and correcting errors found in unclaimed property claims; reviewing and analyzing complicated claims and referring the most technical claims to her supervisor; categorizing and maintaining a file of technical claim issues that occur intermittently so that the unit can refer to this data for claim processing assistance; and assisting in updating the unclaimed property scan tracking system. In addition, she argues that 10% of her time is spent assisting her supervisor by initiating levy claims and the Office of Management and Budget refund claims which are processed from the CATTS system. Appellant refers to the job specification for the title of Technical Assistant 2, Treasury, and argues that she performs five of the examples of work listed. Therefore, appellant argues that her position should be classified as Technical Assistant 2, Treasury.

In response, CPM states that a comprehensive review and analysis of appellant's submission, including the PCQ that she completed and her Performance Evaluation System document, and the information obtained at the time of the audit, demonstrates that the preponderance of her assigned duties are clerical in nature. CPM states that a Technical Assistant 2, Treasury, reviews and verifies information from claims and makes routine eligibility award determinations. CPM notes that the appellant's position does not primarily perform duties of this nature. Rather, it primarily performs clerical duties to prepare and organize unclaimed property

claims for Investigators to make award determinations. Accordingly, CPM asserts that these duties are consistent with those of a Principal Clerk Typist.

### CONCLUSION

The definition section of the job specification for the title Principal Clerk Typist states:

Under direction of a supervisory official, does clerical work including typing of a complex and/or technical nature requiring knowledge of department laws, regulations, policies, and procedures as well as the frequent exercise of independent judgment, and/or has charge of the work of a clerical unit; does related work as required.

The definition section of the job specification for the title Technical Assistant 2, Treasury, 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 duties.

In the instant matter, the appellant's position is properly classified as a Principal Clerk Typist. The primary focus of her duties and responsibilities entail, among other things, categorizing and prioritizing claims upon written receipt from claimants which 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 which includes maintaining various types of logs used by the Unclaimed Property unit; responding to inquiries from Unclaimed Property staff, referring complicated inquiries to her supervisor; maintaining and retrieving claim files; and receiving, sorting, and preparing new and pending mail for scanning which includes mailing all claim forms, letters, and documents on a daily basis. These are complex, technical duties consistent with a Principal Clerk Typist classification.

In this regard, classification determinations are made based on those duties which are considered to be the primary focus of a position that are performed on a regular, recurring basis. Additionally, the fact that some of the appellant'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 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 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 a job specification is appropriately utilized. In reviewing the examples of work listed by the appellant, they are consistent with an employee in the title of Principal Clerk Typist. Accordingly, the appellant's position is properly classified as Principal Clerk Typist.

### ORDER

Therefore, it is ordered that this appeal be denied.

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

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 19<sup>TH</sup> 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  
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P.O. Box 312  
Trenton, New Jersey 08625-0312

### Attachment

c: Judith Petrecca  
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

March 6, 2014

Ms. Judith Petrecca  
Department of the Treasury  
Unclaimed Property  
50 Barrack Street  
P.O. Box 214  
Trenton, New Jersey 08625-0214

**RE: Classification Appeal – Principal Clerk Typist**  
Position # 951794, CPM Log # 10130021, EID [REDACTED]

Dear Ms. Petrecca:

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 February 26, 2014.

**Issue:**

You are appealing that your current permanent title of Principal Clerk Typist (R12) 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, Principal Clerk Typist (23234-R12). The definition section of the job specification for this title states:

“Under direction of a supervisory official, does clerical work including typing of a complex and/or technical nature requiring knowledge of department laws, regulations, policies, and procedures as well as the frequent exercise of independent judgment, and/or has charge of the work of a clerical unit; does related work as required.”

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A Principal Clerk, Typist performs complex clerical work of a technical nature that requires knowledge of department laws, regulations, policies, and procedures; and may require the frequent exercise of independent judgment.

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.

A review of your job duties and responsibilities finds that the main function of your position is to prepare and organize unclaimed property claims for investigators to make award determinations. Your position performs keyboarding of a technical and tabular nature requiring the use of considerable judgment; reviews, checks, and certifies unclaimed property claims; assists in supervising employees engaged in a variety of clerical work; and performs clerical work including the typing of a technical nature requiring knowledge of department laws, regulations, policies, and procedures as well as the frequent exercise of independent judgment.

The preponderance of assigned duties and responsibilities of this position are commensurate with the title of Principal Clerk Typist (23234-R12).

**Determination:**

Based upon the findings of fact above, it is my determination that the assigned duties and responsibilities of your position are properly classified by the title Principal Clerk Typist (23234-R12).

Ms. Judith Petrecca  
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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 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