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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Christopher Ward,  
Department of Law and Public Safety

Administrative Appeal

CSC Docket No. 2015-363

ISSUED: DEC - 5 2014 (SLD)

Christopher Ward, a Network Administrator 1 with the Division of Criminal Justice (DCJ), Department of Law and Public Safety, appeals the decision of the Division of Classification and Personnel Management (CPM) which determined that his salary was properly calculated under *N.J.A.C. 4A:3-4.9*.

By way of background, Ward received an unclassified appointment to the title of Network Administrator 2<sup>1</sup> effective March 22, 2014. Prior to that appointment, Ward had served in the unclassified title of Administrative Analyst 2 from October 1, 2007 to March 22, 2014. Upon his appointment to the title of Network Administrator 2, Ward's salary increased from \$87,444.39 (salary range P26, step 9) to \$90,249.96 (salary range P29, step 6). In this regard, *N.J.A.C. 4A:3-4.9(b)* provides in part that:

Employees who are appointed to a title with a higher class code shall receive a salary increase equal to at least one increment in the salary range of the former title plus the amount necessary to place them on the next higher step in the new range . . . This subsection shall apply when the following conditions are met:

<sup>1</sup> By statute, all employees within the Division of Criminal Justice, except for secretarial and clerical personnel, are unclassified. See *N.J.S.A. 52:17B-100*.

1. Employees are appointed from their permanent title to a title with a higher class code following or subject to a promotional examination;
2. Employees are serving in a title which is reevaluated to a higher class code;
3. Employees receive an advancement appointment to a higher title level with a higher class code in a job band; or
4. Employees are appointed to a title with a higher class code, when the conditions in (b)1, 2, or 3 above are not applicable, provided the Chairperson of the Civil Service Commission or designee finds the following criteria are met:
  - i. The employee has served continuously in the lower title for at least four months immediately preceding the effective date of the advancement; and
  - ii. The service in the lower title provided significant preparation and training for service in the higher title.

It was explained that Ward did not meet any of these requirements since his appointment to the title of Network Administrator 2 from the title of Administrative Analyst 2 was not subject to promotional examination procedures, as he is serving in an unclassified title, nor was his title reevaluated to a higher class code. Moreover, although Ward had served in the "lower title" of Administrative Analyst 2 for at least four months preceding his advancement, his service in that title did not provide "significant preparation and training for service in the higher title" of Network Administrator 2. Therefore, pursuant to *N.J.A.C. 4A:3-4.9(e)*, Ward's salary was set "on a step in the salary range of the title with the higher class code that is the same or next higher than the salary paid in the title with the lower class code."

On appeal, Ward argues that he is entitled to a higher salary since his service in the title of Administrative Analyst 2 did provide "significant preparation and training" for his service in the title of Network Administrator 2. In this regard, he maintains that as an Administrative Analyst 2, he worked in the Information Technology (IT) Unit and was afforded significant preparation for his service as a Network Administrator 2. For example, as an Administrative Analyst 2, he was

responsible for migrating the Victim of Crimes Compensation Unit's computers and servers to a new network, replaced all network switches for DCJ, replaced all wireless access points, introduced Cisco firewalls to all DCJ offices, installed and configured numerous servers at all DCJ offices, configured DCJ's VMWare virtual operating infrastructure, and configured and operated an emergency communications vehicle. Moreover, Ward maintains that while serving as an Administrative Analyst 2, he received significant formal training including obtaining "VCP4 and VCP5" certifications. Additionally, he maintains that since 2008, he has been identified as a Network Administrator, as evidenced by his State identification and a departmental award he received.

The job specification for Administrative Analyst 2 indicates that an individual in that title performs the review, analysis, and appraisal of current department administrative procedures, organization, and performance and helps to prepare recommendations for changes and/or revisions. The title requires possession of a Bachelor's degree and three years of experience involving the review, analysis, and evaluation of budget, organization, administrative practices, operational methods, management operations, or data processing applications, or any combination thereof, which shall have included responsibility for the recommendation, planning, and/or implementation of improvements in a business or government agency. A Master's degree in Public Administration, Business Administration, Economics, Finance, or Accounting may be substituted for one year of the indicated experience. Some "Examples of Work" are: 1) reviews department programs/activities and in evaluating their administration, objectives, efficiency, effectiveness, and suitability to current conditions, costs, and accomplishment using established procedures/standards; 2) may determine whether department activities/programs are essential to good government and are carried on economically/efficiently; 3) appraises adequacy/effectiveness of operating systems and may assist units in the development of the organizational structure and methods of operation necessary for the performance of existing, new, or expanded functions; 4) plans, conduct, development of analytical studies of existing operations/routines for a division in a large department to determine feasibility for data processing and makes recommendations, or is responsible for this activity in a small department; 5) may provide policy guidance/assistance to operating personnel in preparation of schedules outlining essential steps to be taken in installation and/or conversion of data processing systems; 6) investigates/develops solutions to problem areas; identifies and works toward elimination of unnecessary and/or wasteful administrative practices/positions; helps to determine where program and/or administrative duplication may exist; 7) analyzes operational problems brought to light through budget studies, requests, and hearings; compiles and interprets data, and appraises agency situations; 8) assesses new administrative ideas/approaches, and keeps agencies informed of advanced administrative practices/developments; 9) may assist in installing reporting systems for assessing agency performance including workload volume, backlog, revenues, expenditures,

and preparation of agency operating manuals; 10) may develop, prepare, and executes budgets; evaluates proposed plans of organization and methods and in budget requests; makes recommendations in all respects including special problems of organization/administration; within budget limitations/policies, assists with development/application of financial programs/policies; 11) makes analyses of administrative and budget implications of legislation; 12) analyzes statistical, financial, and operating reports to determine work backlogs; and 13) participates in administrative planning, in organization, administrative, and procedural studies, in capital planning/research, and may assist in introducing new techniques/methods to improve administration.

The job specification for Network Administrator 2 reveals that an individual in that title performs professional work, which includes development, implementation, and maintenance of multinetwork, multiuser Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN); maintains and/or supervises maintenance of centralized, decentralized, and remote network services; maintains and/or directs maintenance of network security and data integrity; provides and/or directs consultations and recommendations to infrastructure managers as required to troubleshoot and resolve network problems, monitor overall performance, and conduct upgrades as required; takes the lead in planning upgrades, capacity, and communication requirements; does other related duties. The title requires possession of a Bachelor's degree which must include a minimum of 18 semester hour credits in mathematics and/or computer science and four years of experience in the development, implementation and maintenance of multinetwork, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN) environments. Formal Training in Computer Science/Information Technology received at an accredited institution will be examined to see how they compare, both in hours and content to college courses to which they equate, with 16 training hours being equal to one college credit. Some "Examples of Work" are: 1) supervises the development, implementation, and maintenance of multinetwork, multi-user environment; 2) maintains availability of centralized, decentralized, and remote network services including but not limited to file service, printing, local electronic mail, Internet electronic mail, office applications, remote access, Internet web connectivity, and mainframe gateway; 3) schedules and dispatches resources to track/troubleshoot/correct network related issues either logged through the help desk and/or recorded through the monitoring of the network; 4) plans and installs software updates and patches to network operating systems, server-based applications, and centralized services; 5) plans and installs hardware upgrades for network servers, gateways, and associated telecommunication devices; 6) maintains accurate and up-to-date documentation for network hardware/software; 7) plans, configures, and troubleshoots networked devices including but not limited to printers, personal computers, facsimile, modems, plotters, and scanners; 8) plans, configures, and troubleshoots network client software installations and updates; 9) provides guidance to infrastructure

managers/technicians to troubleshoot and resolve network problems, monitor overall performance, and conduct upgrades as needed; 10) administers user access to network resources and adds/modifies/deletes user accounts for file/print and dial-in servers; 11) administers electronic mail gateways, both internal and Internet; 12) diagnoses and repairs or coordinates repair of network hardware; 13) monitors performance of servers and telecommunications devices (such as hubs, switches, and routers) and takes appropriate action to tune and optimize such devices to maximize performance and throughput, and minimize downtime; 14) monitors disk capacity and takes appropriate action to ensure adequate disk space is available to networked users, software applications, and attached devices; 15) checks and responds appropriately to errors logged by the server and/or network devices; 16) maintains accurate and up-to-date documentation (manual or through an online log file) of all errors of high severity and action taken to correct the error; 17) develops, implements, and ensures adherence to system standards/procedures; 18) maintains the highest levels of network security and data integrity including antivirus countermeasures; 19) develops, tests, implements, and periodically updates a disaster recovery plan for the enterprise; 20) ensures that daily or weekly and incremental or full backups are performed and verified, and rotates media offsite; 21) ensures that clients are able to restore files from backup and/or archive; 22) provides technical support to end-users; 23) maintains knowledge of network-related emerging technologies and evaluates vendor products for potential use within the agency; 24) coordinates with OTIS and other government agencies to ensure optimal use of the network topology, WAN, and wiring infrastructure; 25) leads the capacity planning process to ensure timely and cost effective advancement of the network; and 26) prepares an annual budget for the development, implementation, installation, and termination of network servers and related hardware/software/telecommunications components.

All Civil Service titles are assigned to an Occupational Group, which classifies titles by type. The title of Administrative Analyst 2 is in Occupational Group 16 (Administrative Specializations)<sup>2</sup> while Network Administrator 2 is in Occupational Group 12 (Information Processing Systems).<sup>3</sup> It is noted that both

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<sup>2</sup> The Civil Service Commission's Occupational Code Dictionary (OCD) indicates that this subcategory includes occupations concerned with a variety of professional administrative specializations related to the internal operation of an agency in supporting agency goals and objectives involving utilization of resources other than fiscal, such as formulating and recommending policies and administering programs, human resources management and labor relations; and program compliance review. It includes managerial occupations which may cross other categories in this dictionary, but excludes managerial occupations of specific disciplines in other categories.

<sup>3</sup> This subcategory in the OCD includes occupations concerned with the application of information processing methods and techniques to store, manipulate, transform, or present information by means of computer systems, including the development of application system software, hardware systems design, and telecommunication systems.

Occupational Group 16 and Occupational Group 12 are classified under the category of "Professional, Technical, and Managerial Occupations."<sup>4</sup>

The Salary Schedules<sup>5</sup> in effect at the time of Ward's appointment were, in part, as follows:

	<b>RANGE P26</b>	<b>RANGE P29</b>
<b>INCREMENT</b>	\$2,984.96	\$3,455.05
<b>STEP SIX</b>	\$78,489.51	\$90,249.98
<b>STEP SEVEN</b>	\$81,474.47	\$93,705.03
<b>STEP EIGHT</b>	\$84,459.43	\$97,160.08
<b>STEP NINE</b>	\$87,444.39	\$100,615.13
<b>STEP TEN</b>	\$90,429.35	\$104,070.18

### CONCLUSION

In the instant matter, Ward argues that his salary increase was improperly calculated under *N.J.A.C. 4A:3-4.9*. Although *N.J.A.C. 4A:3-4.9(b)* does not define "significant preparation and training," this agency has, as a matter of longstanding practice, utilized the placement of titles in individual occupational groups as an objective tool to make a myriad of determinations. For example, this agency utilizes a uniform and objective automated system to determine the layoff rights for all titles. This system uses occupational group categorizations, as recognized by the United States Department of Labor, and is an objective method for identifying job similarities as required by *N.J.A.C. 4A:8-2.1*. See *In the Matter of State Layoff Title Rights* (Commissioner of Personnel, decided May 24, 1996), *aff'd*, Docket No. A-5847-95T3 (App. Div. December 9, 1997). Accordingly, the Civil Service Commission (Commission) finds that the use of occupational groups to determine whether a previous title provided "significant preparation and training" for a new title is a valid and proper standard.

<sup>4</sup> The United States Department of Labor (USDOL), Employment and Training Administration, organizes groups of jobs into "occupations" based on their similarities and defines the structure and content of occupations in the *Dictionary of Occupational Titles (DOT)*. The Employment and Training Administration reports that the occupational definitions are the result of "comprehensive studies of how similar jobs are performed in establishments across the nation and are composites of data collected from diverse sources." Thus, the term "occupation" as used in the DOT refers to this collective description of a number of individual jobs performed, with minor variations, in many establishments. Occupations are clustered into nine broad "categories," which are further divided into "divisions" and then into specific "groups." See *Dictionary of Occupational Titles, Volume 1, Fourth Edition, Revised 1991, Employment and Training Administration*.

<sup>5</sup> The CWA contract salary increase was effective July 5, 2008, the same date as Ward's appointment. Therefore, the Salary Schedules utilized to determine Ward's salary included the July 5, 2008 increase.

However, the Commission is required to review every appeal based on the particular record presented. *See In the Matter of Jose Gonzalez, Department of Human Services* (MSB, decided January 26, 2005). A review of the record in this matter clearly indicates that the position of Administrative Analyst 2 does not provide "significant preparation and training" for the position of Network Administrator 2. In this regard, a review of the above noted job specifications reveals that individuals in the title of Administrative Analyst 2 and individuals in the title of Network Administrator 2 perform significantly different functions. An individual in the title of Administrative Analyst 2 performs the review, analysis, and appraisal of current department administrative procedures, organization, and performance and helps to prepare recommendations for changes and/or revisions. However, an individual in the title of Network Administrator 2 performs professional work, which, as a primary focus, includes development, implementation, and maintenance of multinetwork, multiuser LAN, MAN, and/or WAN systems. Consequently, it is clear that the title of Administrative Analyst 2 is substantially different from, and would not have provided significant preparation and training for, the title of Network Administrator 2. Accordingly, Ward has not established his entitlement to a salary adjustment pursuant to *N.J.A.C. 4A:3-4.9(a)3*.

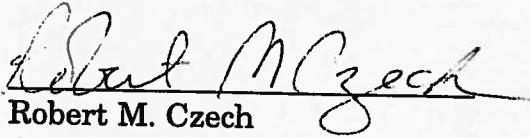
Ward argues that he performed relevant duties and received formal training as an Administrative Analyst 2 that provided significant training for the title of Network Administrator 2. However, a review of the duties listed by Ward reveals that the performance of those duties would have been out-of-title duties for an Administrative Analyst 2 as revealed by the examples of work and definition noted above. When determining whether a particular title provided "significant training and preparation," the Commission has looked at what are appropriate duties for that particular title and not the performance of out-of-title duties. Consequently, Ward's salary was properly calculated when he was appointed as a Network Administrator 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 3RD DAY OF DECEMBER, 2014**



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