

B-19



STATE OF NEW JERSEY

In the Matter of Shameese Gaines,
Department of Health

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-1726

Classification Appeal

ISSUED: DEC 05 2014 (CAG)

Shameese Gaines appeals the attached decision of the Division of Classification and Personnel Management (CPM) which found that her position with the Department of Health (DOH) is properly classified as Principal Clerk Typist. The appellant seeks an Administrative Assistant 3 classification in this proceeding.

The record in the present matter establishes that the appellant received a regular appointment to the title of Principal Clerk Typist on October 1, 2007. This position is located in the Division of HIV, STD & TB Services, Administrative Services/Grant Monitoring Unit. The position reports to a Sectional Supervisor, Fiscal Resources. The appellant sought a reclassification of her position to Administrative Assistant 3. CPM performed a classification review including an analysis of the appellant's Position Classification Questionnaire (PCQ) and related documents and a telephone audit conducted with the appellant.

The classification review found that the appellant's assigned duties and responsibilities, as detailed in CPM's attached decision, were commensurate with the title of Principal Clerk Typist. It found that, as appellant reports to a Section Supervisor, Fiscal Resources, a reclassification is not warranted. CPM stated that the classification of the Administrative Assistant title series is driven by the level of the supervisory position that the position supports. An Administrative Assistant 3 is expected to assist the head of a Bureau or Service. A Section Supervisor, Fiscal Resources, is not considered to be the head of a Bureau and is not entitled to the

administrative support of an Administrative Assistant 3 or any level within the Administrative Assistant series.

On appeal, appellant argues that, although her supervisor holds the title of Section Supervisor, Fiscal Resources, he functions within the organizational unit as a Bureau Chief. She also argues that normally a Section Supervisor would report to a Bureau Chief and the Bureau Chief in turn would report to a Division Director or upper management. However, in the instant matter, her supervisor reports directly to an Assistant Commissioner and there is no Bureau Chief position between her supervisor and the Division upper management. In addition, she argues that, due to vacancies within the Division and flattening of the organizational unit, there is no Bureau Chief title but her Section Supervisor fulfills those duties functionally. Therefore, she argues that she reports to a position that is functioning as a Bureau Chief and fits within the organizational unit and, based on this organizational structure, she argues that her position should be classified as Administrative Assistant 3.

In addition, if her appeal is denied, the appellant requests that the Commission order CPM to analyze her duties and assign a different title that is commensurate with the "complex" higher-level duties she performs. She argues that these duties are not consistent with a Principal Clerk Typist title. She also argues that, if CPM is not able to grant her reclassification appeal due to her reporting relationship, then she requests that her duties be compared to a higher level title that would match that relationship. In addition, she argues that this request is based on CPM's determination letter that does not present detailed findings that her current duties match the Principal Clerk Typist title and the denial seems to rely on her reporting relationship. Further, she argues that, although CPM's determination does recognize her duties as complex, it does not present an analysis of how those complex duties are appropriate for her Principal Clerk Typist title. Therefore, she argues that her duties should be analyzed for a title that would fit her reporting relationship since they do not match her current title.

CONCLUSION

The definition section of the job specification for 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 Administrative Assistant 3 states:

Assists the head of a Bureau or Service in a state department, institution, or agency by performing and coordinating administrative support services: does other related work.

The Administrative Assistant series classifies positions responsible for performing a variety of duties to relieve the executive officer of administrative detail related to the internal operation of the unit. The Administrative Assistant serves to coordinate support services to ensure the availability and efficient use of resources needed to accomplish the goal of the unit. In contrast, the clerical titles of various series classify positions which prepare, transcribe systematize and maintain records, reports and various communications by manual process or by the operation of various office machines and equipment. Each of these job families is separate, with distinctive allocation characteristics. However, from the clerical series to the Administrative Assistant series, there are identifiable support functions which mesh from one series to the next in a linear progression. In addition, experience gained in clerical positions from the Principal level down would not be applicable to meet the eligibility requirements for Administrative Assistant. In such titles, the limited nature and level of duties assigned would not be related to the base level administrative support services provided by the Secretarial Assistant or higher level coordination of support services accomplished through the Administrative Assistant.

The issue in this case is that the appellant argues that her supervisor, a Section Supervisor, Fiscal Resources, is the organizational equivalent of a Bureau Chief. She argues that her supervisor fulfills the duties of a Bureau Chief although his title is Section Supervisor, Fiscal Resources. However, since her supervisor is not a Bureau Chief, he is not entitled to be supported by an Administrative Assistant 3 position. In addition, although appellant requests that the Commission order CPM to analyze her duties and assign a different title that is commensurate with the "complex" higher-level duties she performs, CPM has already analyzed her duties based on all the information provided as indicated above. Further, the "complex" higher-level duties she performs are consistent with the job definition and duties of the Principal Clerk Typist title as described above.

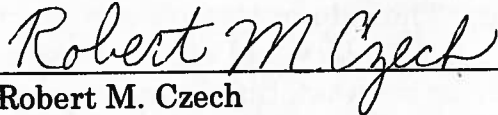
A thorough review of the entire record establishes that the appellant has failed to present a sufficient basis to warrant an Administrative Assistant 3 classification of her position. The appellant is properly classified in the Principal Clerk Typist title.

ORDER

Therefore, it is ordered that this appeal be denied.

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 3RD DAY OF DECEMBER 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
PO Box 312
Trenton, New Jersey 08625-0312**

Attachment

**c: Shameese Gaines
Loreta Sepulveda
Kenneth Connolly
Joseph Gambino**



Chris Christie
Governor
Kim Guadagno
Lt. Governor

STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
DIVISION OF CLASSIFICATION AND PERSONNEL MANAGEMENT
P. O. Box 313
Trenton, New Jersey 08625-0313

Robert M. Czech
Chair/Chief Executive Officer

November 26, 2013

Shameese Gaines
New Jersey Department of Health
Division of HIV, STD & TB Services
Administrative Services/Grant Monitoring Unit
50 East State Street
3rd Floor
Trenton, New Jersey 08625

Re: Classification Appeal, Principal Clerk Typist (R12)
Position #: 067570; CPM Log #: 06130031;
EID # [REDACTED]

Dear Ms. Gaines:

This is in response to the classification appeal received May 31, 2013 submitted to this office on your behalf by Loreta Sepulveda, Director, Human Resources. The package indicates that you are appealing your current permanent title of Principal Clerk Typist (23234, R12), and that you believe the appropriate classification of your position is Administrative Assistant 3 (59903, P18). Your position is located in the Division of HIV, STD & TB Services, Administrative Services/Grant Monitoring Unit.

On November 22, 2013, a telephone audit was conducted with you to confirm information regarding the structure of your organizational unit. In addition, this office has also conducted a review of the submitted information, including the Position Classification Questionnaire (DPF-44S); organization chart; your statements; and the statements of your supervisor, program manager (or division director).

A review of the aforementioned documents indicates that your position reports to a Section Supervisor, Fiscal Resources (60325, V30). The classification of the Administrative Assistant title series is driven by the level of the supervisory position that the position supports. An Administrative Assistant 3 is expected to assist the head of a Bureau or Service. A Section Supervisor, Fiscal Resources is not considered to be the head of a Bureau and

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is therefore not entitled to the administrative support of an Administrative Assistant 3 or any level within the Administrative Assistant series.

While the duties your position performs are complex in nature and require a knowledge of department laws, regulations, policies and procedures, and the frequent exercise of independent judgment, they are still basically clerical in nature. An Administrative Assistant 3 performs a comprehensive analysis of unit operational needs, including preparing the administrative aspects of the annual budget, the coordination of fiscal and personnel procedures and the investigation of operational problems. Therefore, based on this information and the fact that the aforementioned parties are in agreement with the stated duties, it is our determination that the appropriate classification of your position is Principal Clerk Typist (23234, R12). Therefore no action will be taken.

An appeal of this decision may be filed within twenty (20) days of receipt of this letter. Since an appeal will be subject to final administrative review, all arguments that you wish considered should be submitted within the specified timeframe. Appeals should be addressed to the Written Records Appeal 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,



Martha Bell, Human Resource Consultant 5
Classification and Personnel Management

MB/rz
c: Loreta Sepulveda
Ann Kopczynski