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STATE OF NEW JERSEY

In the Matter of Quality Assurance
Officer

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-3212

Administrative Appeal

ISSUED: SEP 19 2014

(CSM)

The Division of Classification and Personnel Management (CPM) requests that the job specification for Quality Assurance Officer (55973) be applied retroactively in order to properly classify the position of Sharon Robinson, an employee with the Department of Health (DOH).

By way of background, CPM received a classification appeal from Robinson, a Research Scientist 3, Chemistry (salary range P25), on September 20, 2011. CPM conducted an audit of her position and determined that upon the retirement of her supervisor, a Quality Assurance and Control Specialist (salary range S30), Robinson began to assume many of his responsibilities. However, CPM was unable to reclassify the position to Quality Assurance and Control Specialist as the existing job specification was antiquated and the education and supervisory requirements needed to be revised. In this regard, it was unclear if the job specification for Quality Assurance and Control Specialist accurately described the position's duties and necessary educational requirements. Therefore, the DOH assisted CPM in researching State and federal certification guidelines for individuals functioning as Quality Assurance Officers. Based on this research, it was determined that the existing requirement of possession of a Master's degree in a biological, chemical, or toxicological science was erroneously being required by the job specification for Quality Assurance and Control Specialist. Additionally, the DOH advised that the Quality Assurance and Control Specialist title was not used in a supervisory capacity. However, the title was assigned to the second level, or "S" employee relations group and requires an incumbent to supervise other supervisors. As such, CPM created the new job specification for Quality Assurance Officer (salary range P27) in order to accurately describe the duties and educational requirements of the

position and inactivated the Quality Assurance and Control Specialist title. At its meeting on October 2, 2013, the Civil Service Commission (Commission) approved the creation of the Quality Assurance Officer title with an effective date of October 5, 2013.

In the instant request, CPM states that its classification review of Robinson's position in September 2011 confirmed that she was performing quality assurance duties, but it could not reclassify her position to Quality Assurance and Control Specialist at that time due to the significant problems identified in the job specification. CPM underscores that Robinson's classification appeal identified those problems with the job specification, which ultimately resulted in its inactivation and the creation of the new Quality Assurance Officer job specification. Therefore, CPM requests that the job specification for Quality Assurance Officer be made effective October 8, 2011 so that it can retroactively appointment Robinson to the title effective October 8, 2011.

CONCLUSION

Initially, the foundation of position classification, as practiced in New Jersey, is the determination of duties and responsibilities being performed at a given point in time as verified by CPM through an audit or other formal study. The given point in time is established by utilizing the date that CPM receives a complete classification appeal package, generally consisting of a Position Classification Questionnaire (PCQ), and an appellant's permanent title at the time a classification review is requested. Thus, the job specification in effect at the time CPM receives the completed PCQ is utilized when conducting the classification study. *See In the Matter of Gloria Grant* (CSC, decided January 25, 2012). In Robinson's case, since her classification appeal was received by CPM on September 20, 2011, the existing job specification for Quality Assurance and Control Specialist was properly utilized as a basis to review her position classification because it was the title of the prior incumbent whose duties she assumed.

However, as a result of Robinson's classification appeal, it was determined that the existing job specification for Quality Assurance and Control Specialist did not accurately describe the position's duties and necessary educational requirements, which resulted in the title being assigned to an inappropriate employee relations group. In order to remedy these serious flaws, the DOH assisted CPM with the development of a new title, Quality Assurance Officer, effective October 5, 2013, which is consistent with current State and federal guidelines for the performance of quality assurance duties, and inactivated the Quality Assurance and Control Specialist title. Thus, under the normal process, Robinson's position could only be reclassified as Quality Assurance Officer effective October 5, 2013, the effective date of the newly created job specification. This is almost two years after

the classification review determined that Robinson was performing duties consistent with what would become the Quality Assurance Officer title.

While changes to job specifications are generally not applied retroactively, in the instant case, Robinson's classification appeal specifically caused the job specification revisions to be initiated. Since CPM determined in its classification review of her position that Robinson was performing quality assurance duties as of October 8, 2011 consistent with those that were ultimately memorialized in the new job title, it is appropriate that she receive the benefit of a remedy. *See In the Matter of Judith S. Englander* (Commissioner of Personnel, decided December 6, 1996), *reversed on reconsideration* (Commissioner of Personnel, decided October 14, 1997) (While changes to job specifications are generally not applied retroactively, appellant's appeal specifically caused the job specification revisions to be initiated and it was appropriate that she be permitted to benefit from the remedy). Therefore, the job specification for Quality Assurance Officer (55973) should be applied retroactively in order to properly classify Robinson's position effective October 8, 2011.

ORDER

Therefore, it is ordered that this request be granted and Sharon Robinson be provisionally appointed, pending promotional examination procedures, effective October 8, 2011, to Quality Assurance Officer.

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 17TH DAY OF SEPTEMBER, 2014



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