

weeks prior to the appellant suffering a heart attack. She presents that Mr. Ryan had been her supervisor for the three prior years and knew every duty that she performed, including directions that she gave other Customer Service Representatives on a daily basis. She asserts that although she was never a supervisor, it was "unwritten knowledge" in her department that she was always the Lead Customer Service Representative. The appellant maintains that she screened and saved the management team from having to take phone calls and states that when Hurricane Sandy hit, she was the lead person to handle inquiries and made decisions by herself. Additionally, she asserts that she has been handling all the customer service for the office for the last eight years. Therefore, the appellant maintains that her position should be classified as Agency Services Representative 4.

CONCLUSION

The definition section of the job specification Agency Services Representative 3 states:

Under the general supervision of a supervisory official in a State department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides specialized information to customers regarding department/agency programs and services; handles the more complex and/or sensitive customer issues, requests and complaints; does other related work as required.

The definition section of the job specification for Agency Services Representative 4 states:

Under the direction of a supervisory official in a State department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides varied information to customers regarding department/agency programs and services; handles the most complex and/or sensitive customer issues, requests and complaints; functions in a lead worker capacity; does other related work as required.

In this case, it is clear that the appellant's position is properly classified as Agency Services Representative 3. In reviewing the job specification definitions, the main difference between an Agency Services Representative 3 and an Agency Services Representative 4 is that an Agency Services Representative 4 functions in a lead worker capacity while an Agency Services Representative 3 does not. A leadership role refers to those persons whose titles are non-supervisory in nature,

but are required to act as a leader of a group of employees in titles at the same or a lower level than themselves. Duties and responsibilities would include training, assigning and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations. Being a lead worker does not mean that the work is performed by only one person, but involves mentoring others in work of the title series. *See In the Matter of Henry Li* (CSC, decided March 26, 2014). Further, the Agency Services Representative 4 job specification classification criteria states that positions at this level function in a lead worker capacity, and typically are the 'go-to' person in the absence of a supervisor. While incumbents at this level are not technically considered supervisors, they are expected to assist lower level staff by answering questions and providing guidance, advice, instruction, and training to enable them to learn the duties and responsibilities of the position.

According to the appellant's PCQ, she spends 50% of her time handling 90% of the incoming phone calls. She also spends 5% of her time answering 90% of the incoming emails, 5% of her time issuing EMT recertification cards, 5% of her time verifying whether recertification candidates have successfully completed the required continuing education credits within the qualifying period, and 35% of her time performing a variety of other tasks including 2% of her time cross-training co-workers. In other words, while she may occasionally function as a lead worker, this is not the primary focus of her responsibilities and therefore she is not considered to be functioning as a lead worker. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). Further, the fact that she may have been the lead person to answer customer service questions does not mean that her primary responsibility was to act as a lead worker by answering questions and providing guidance, advice, instruction, and training to enable other Agency Services Representatives to learn the duties and responsibilities of the position. Moreover, there are no other Agency Services Representatives in the appellant's work unit that she could be assigned to lead.

In reference to her comments that CPM interviewed her current supervisor, who may have only been her supervisor for two weeks, and not her former supervisor, who she claims to have had greater knowledge of every duty that she performed, a classification appeal is based on a specific date in time. As Ms. Gardner was her current supervisor at the time of the appeal, she was the appropriate person for CPM to interview. Further, as stated above, based on her PCQ, as well as comments from the appellant and her supervisor, there is no indication that her primary responsibility is to act as a lead worker for other Agency Services Representatives.


With regard to her comments that she screens and saves the management team from taking calls and that she handled all customer service inquiry calls when Hurricane Sandy hit by herself, how well or efficiently an employee does his or her job, length of service, volume of work and qualifications have no effect on the classification of a position currently occupied, as *positions*, not employees are classified. See *In the Matter of Debra DiCello* (CSC, decided June 24, 2009). 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. Moreover, it is not uncommon for an employee to perform some duties which are above or below the level of work 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 the job specification is appropriately utilized. Further, with respect to her comments that she needs this promotion, that she does an outstanding job, and that she is appealing the decision because she plans on staying around for a very long time because she loves her job, the Commission notes that the outcome of a position classification is not to provide a career path to the incumbent, but rather to ensure the position is classified in the most appropriate title available within the State's classification plan. See *In the Matter of Patricia Lightsey* (MSB, decided June 8, 2005), *aff'd on reconsideration* (MSB, decided November 22, 2005).

ORDER

Therefore, the Civil Service Commission concludes that the position of Bonnie Anderson is properly classified as an Agency Services Representative 3.

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 16th DAY OF JULY, 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: Bonnie Anderson
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

February 4, 2014

Bonnie Anderson
New Jersey Department of Health
Division of Public Health Infrastructure, Laboratories & Emergency Preparedness
Office of Emergency Medical Services
Post Office Box 360
Trenton, New Jersey 08625-0360

**Re: Classification Appeal, Customer Service Representative 2 (A14); Position #: 945622;
CPM Log #: 07130132; EID # 000363096.**

Dear Ms. Anderson:

This is in response to the classification appeal received July 15, 2013 submitted to this office on your behalf by Loreta Sepulveda, Director, Human Resources Services. The package indicates that you are appealing your then permanent title of Customer Service Representative 2 (A14), now known as Agency Services Representative 3 (56360, A14), and that you believe the appropriate classification of your position is Customer Service Representative 1 (A18), now known as Agency Services Representative 4 (56364, A18). Your position is located in the Division of Public Health Infrastructure, Laboratories & Emergency Preparedness (PHILEP), Office of Emergency Management Services.

Due to your extended leave of absence a telephone interview was conducted with your Supervisor, Candace Gardner, Public Health Representative 1, Emergency Medical Services, in order 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); Performance Assessment Review (PAR) form; 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 Public Health Representative 1, Emergency Medical Services (62926D, R24). The rest of the unit is composed of: one (1) Research Scientist 1; and two (2) Public Health Representatives 2, Emergency Medical Services. You have no supervisory responsibilities.

In your appeal you claim that you are the lead Customer Service Representative for the Office of Emergency Medical Services (EMS) and that you handle 90% of all incoming telephone inquiries to the EMS. Your duties include: handling incoming telephone inquiries and providing clear, concise and accurate technical information; answering questions pertaining to the Emergency Medical Technician (EMT) program and the EMT certification/recertification process; answering questions pertaining to other agency programs, rules, policies and procedures; issuing EMT recertification cards; and serving as a liaison with other operational units within OEM and other outside agencies/vendors.

Bonnie Anderson
February 4, 2014
Page 2.

The definition section of the job specification for Agency Service Representative 4 (56364, A18) states:

"Under the direction of a supervisory official in a state department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides varied information to customers regarding department/agency programs and services; handles the most complex and/or sensitive customer issues, requests and complaints; functions in a lead worker capacity; does other related work as required."

An Agency Services Representative 4 is required to function in a lead capacity and serve as the "go-to" person in the absence of the supervisor and is expected to assist lower level staff by answering questions and providing guidance, advice, instruction and training to enable them to learn the duties and responsibilities of the position.

A lead worker refers to those persons whose titles are non-supervisory in nature, but are required to act as a leader of a group of employees in titles at the same, or at a lower level than themselves." A lead worker is expected to assign and review work of other employees on a regular and recurring basis. Serving in a lead capacity implies that you would be guiding co-workers involved in the same type of work and not merely performing one or two aspects of their overall responsibilities. While you function at a high level your position has no lead worker responsibility over other staff.

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 Agency Service Representative 3 (56360, A14). By copy of this letter the Appointing Authority is advised that your position is presently and properly classified as Agency Service Representative 3 (56360, A14).

The class specification for this title is descriptive of the general nature and scope of the functions that may be performed by the incumbent in this position. However, the examples of work are for illustrative purposes and are not intended to restrict or limit performance of the related tasks not specifically listed.

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 T. Bell, Human Resource Consultant 5
Classification and Personnel Management

MTB/rz
c: Loreta Sepulveda
Ann Koczynski