

B-49



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Karen Graddy,
Labor Market Analyst 4, Department
of Labor and Workforce Development

Classification Appeal

CSC Docket No. 2015-123

ISSUED: FEB - 9 2015

(LDH)

Karen Graddy appeals the attached decision of the Division of Classification and Personnel Management (CPM) that determined the proper classification of her position with the Department of Labor and Workforce Development is Labor Market Analyst 4. The appellant seeks a Labor Market Analyst 3 classification.

The record in the present matter establishes the appellant is currently serving in the permanent title of Labor Market Analyst 4. The appellant pursued the matter of her reclassification with CPM. CPM reviewed all documentation supplied by the appellant and performed a telephone audit of her position. The appellant's position is located in the Division of Labor Market and Demographic Research, Department of Labor and Workforce Development. CPM found that the primary function of her position entailed comparing wage and employment information submitted by employers of single and multiple worksites to the United States Department of Labor, Bureau of Labor Statistics (BLS), with the wage and employment tax forms submitted to the Department of the Treasury by employers and to resolve any discrepancies that occur in the data. In addition, CPM found, in part, that she performed the following assigned duties and responsibilities; determining North America Industry Classification System (NAICS) code for unclassified employers; assigning appropriate municipality, county and NAICS codes for unclassified employers; assigning a code to describe any discrepancies that occurred in the data; providing information to BLS and employers regarding online Multiple Worksite Report accounts; responding to the Governor's office requests for employment and wage information data; and collecting, editing, verifying and correcting employer reported wage and employment data for single and multiple

worksites. However, CPM noted that the appellant did not perform any supervisory duties. Based on the foregoing, CPM determined that the duties performed by the appellant were consistent with the definition and examples of work included in the job specification for Labor Market Analyst 4.

On appeal to the Civil Service Commission (Commission), the appellant argues that her duties and responsibilities are more consistent with a Labor Market Analyst 3. The appellant agrees with CPM's determination of the primary function of her position. However, she maintains that the balance of her assigned duties and responsibilities are more consistent with a Labor Market Analyst 3 classification. In this regard, the appellant argues that she works independently without the supervision of her immediate supervisor or her manager and is solely responsible for maintaining the WEB-Multiple Worksite Report (WEBMWR) which includes 849 web reporters, of which 166 will require a review. The appellant maintains that she is also responsible for making changes to resolve any problems or discrepancies within the WEBMWR. The appellant maintains that she performs moderately complicated tasks when gathering data necessary to answer any and all questions regarding the WEBMWR and that she is the point of contact for the BLS. The appellant also points to her assigned responsibility regarding the Professional Employer Organization Multiple Worksite Report (PEOMWR), which is divided between her and two Labor Market Analyst 3s. Finally, she argues that as the "backup" supervisor when her immediate supervisor is absent, if necessary she assigns work to the Research Technicians. In support, she submits, *inter alia*, a WEBMWR and e-mail correspondences regarding requests from the Governor's office. Thus, the appellant seeks a Labor Market Analyst 3, classification.

CONCLUSION

The definition section of the job specification for Labor Market Analyst 4 states:

Under direct supervision of a supervisory official in the Department of Labor, performs routine tasks associated with the collection/generation, coding, analysis, and dissemination of labor market, economic, demographic, or labor-related program data; does other related duties as required.

The definition section of the job specification for Labor Market Analyst 3 states:

Under the general supervision of supervisory official in the Department of Labor, performs moderately difficult assignments associated with the collection/generation, analysis, and dissemination

of labor market, economic, demographic or labor-related program data; does other related duties as required.

A review of the record reveals that the appellant's position is properly classified by the title of Labor Market Analyst 4. Though the job specifications are similar in most respects, the defining differences between the two specifications are the level of supervision and the complexity involved in the collection, coding, analysis and dissemination of employment data. Incumbents in the title, Labor Market Analyst 4, perform routine assignments and incumbents in the title, Labor Market Analyst 3, perform assignments that are moderately more difficult. CPM found that the appellant performs routine assignments of a Labor Market Analyst 4 title. Specifically, the appellant is primarily responsible for the collection, editing, verification and correction of employer reported wage and employment data for single and multiple worksites that were entered by employers via the internet. In addition, the appellant contacts employers to verify and resolve discrepancies in data and assigns a code to the discrepancy; responds to the Governor's Office requests for Chief of Labor Statistic employment information; provides information to the BLS and employers regarding online Multiple Worksite Report accounts; and downloads employer data received from the BLS to the exportable employment statistics report. Contrarily, the appellant does not perform the moderately difficult tasks of a Labor Market Analyst 3. The appellant does not prepare statistical analyses for reports; assist in developing and evaluating procedures for estimating statistical data; prepare procedural manuals and technical materials; nor does she train or supervise others in office procedures. Lastly, the comparison of the appellant's duties and responsibilities with other employees in the title of Labor Market Analyst 3 is misplaced. A classification appeal cannot be based solely on a comparison to the duties of another position. *See In the Matter of Dennis Stover* (Commissioner of Personnel, decided March 28, 1996). Accordingly, the appellant has failed to establish that CPM's determination, that her position is properly classified as a Labor Market Analyst 4, was incorrect.

ORDER

Therefore, the Civil Service Commission concludes that the proper classification of Graddy's position is Labor Market Analyst 4.

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 4TH DAY OF FEBRUARY, 2015

Robert M. Czech

Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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CHRIS CHRISTIE
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Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

June 12, 2014

Ms. Karen Graddy
New Jersey Department of Labor and Workforce Development
Division of Labor Market and Demographic Research
John Fitch Plaza, 5th Floor
Trenton, NJ 08625

Re: Classification Appeal – Labor Market Analyst 4 (54142, P19), Position # 942842, CPM Log# 1130231, EID # 000319282

Dear Ms. Graddy:

This is to inform you of our determination concerning the classification appeal referenced above. The determination is based upon a thorough review and analysis of the Position Classification Questionnaire submitted and the information and documentation obtained during and subsequent to the audit conducted May 7, 2014, as well as the information provided by your immediate supervisor, Stephen Bamgbade, Labor Market Analyst 2 (54144, R25).

Issue:

You are serving permanently (RAP) in the title, Labor Market Analyst 4 (54142, P19), Department of Labor and Workforce Development. You contend you are performing duties and responsibilities commensurate with the title Labor Market Analyst 3 (54143, P22).

Organization:

Your position is assigned to the Quarterly Census of Employment and Wages (QCEW) Unit, Division of Labor Market and Demographic Research, New Jersey Department of Labor and Workforce Development. You report directly to Stephen Bamgbade, Labor Market Analyst 2 (54144, R25). You have no supervisory duties.

Findings of Fact:

The primary function of your position is to compare wage and employment information submitted by employers of single and multiple worksites to the United States Department of Labor, Bureau of Labor Statistics, with the wage and employment tax forms submitted to The Department of Treasury by employers and resolve any discrepancies that occur in the data.

You perform the following assigned duties and responsibilities:

- Collect, edit, verify, and correct employer reported wage and employment data for single and multiple worksites that was entered by employers via the internet (WEB MWR).
- Collect, edit, verify, and correct employer reported wage and employment data for single and multiple worksites that were entered by Professional Employer Organizations on behalf of the employer.
- Determine North American Industry Classification System (NAICS) code for unclassified employers.
- Assign appropriate municipality, county and NAICS codes for unclassified employers.
- Contact employer to verify and resolve discrepancies in data.
- Assign a code to describe the discrepancy that occurred in the data (i.e. total wages decreased because the employer had a layoff).
- Download employer data received from United States Department of Labor, Bureau of Labor Statistics, to the Exportable ES202 System.
- Assign Multiple Worksite Reports gathered from the online reporters (WEB MWR) to Research Technicians.
- Provide information to United States Department of Labor, Bureau of Labor Statistics, and employers regarding online Multiple Worksite Report accounts.

- Revert WEB Multiple Worksite Report status reporters back to regular Multiple Worksite Report (MWR) status when they have showed non-compliance with reporting standards.
- Respond to the Governor's Office requests for Chief of Labor Statistic employment information (i.e. employment and wage information data).

Review and Analysis:

Currently, your position is classified in the title, Labor Market Analyst 4 (54142, P19). The definition section of the job specification for the title states:

"Under direct supervision of a supervisory official in the Department of Labor, performs routine tasks associated with the collection/generation, coding, analysis, and dissemination of labor market, economic, demographic, or labor-related program data; does other related duties as required.

You contend your position should be classified in the title, Labor Market Analyst 3 (54143, P22). The definition section of the class specification for this title states:

"Under the general supervision of supervisory official in the Department of Labor, performs moderately difficult assignments associated with the collection/generation, analysis, and dissemination of labor market, economic, demographic, or labor-related program data; does other related duties as required."

The defining difference between Labor Market Analyst 4 and Labor Market Analyst 3 is the level of complexity involved in the collection, coding, analysis and dissemination of employment data. Incumbents in the title, Labor Market Analyst 4, perform routine assignments and incumbents in the title, Labor Market Analyst 3, perform assignments that are moderately difficult.

The audit revealed the primary function of your position is to compare wage and employment information submitted by employers of single and multiple worksites to the United States Department of Labor, Bureau of Labor Statistics, with the wage and employment tax forms submitted to the Department of Treasury by employers and resolve any discrepancies that occur in the data. You are primarily responsible for the collection, editing, verification, and correction of employer-

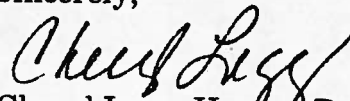
reported wage and employment data for single and multiple worksites that was entered by employers via the internet (WEB MWR). You contact employers to verify and resolve discrepancies in data and assign a code to the discrepancy and enter it into the system. You also respond to requests for the Governor's Office, providing them with wage and employment data. You do not prepare statistical analyses for reports, assist in developing and evaluating procedures for estimating statistical data, prepare procedural manuals and technical materials or train others in procedures. The duties and responsibilities assigned to you compare most favorably with the definition section and the examples of work in the class specification for the title, Labor Market Analyst 4 (54142, P19).

Determination:

It is our determination that the appropriate classification of your position is Labor Market Analyst 4 (54142, P19). By copy of this letter the Appointing Authority is advised that your position is presently and properly classified as Labor Market Analyst 4 (54142, P19).

If you wish to appeal this decision, you may do so within twenty days of receipt of this letter. Since an appeal will be subject to final administrative review, all arguments which you wish considered should be submitted within the specified timeframe. Appeals should be addressed to the Division of Appeals and Regulatory Affairs, Written Records Appeal Unit, 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,



Cheryl Legg, Human Resource Consultant 5
Classification and Personnel Management

CL:kk
c. Mary Fitzgerald
File