

B-29



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Miriam Jones,
Department of the Treasury

CSC Docket No. 2015-620

Classification Appeal

ISSUED: **MAR 10 2015** (LDH)

Miriam Jones appeals the attached decision of the Division of Classification and Personnel Management (CPM) that the proper classification of her position with the Department of the Treasury is Administrative Analyst 3, Data Processing. Jones seeks an Administrative Analyst 2, Data Processing classification.

The record in the present matter establishes that Jones is currently serving in the permanent title of Administrative Analyst 3, Data Processing. Jones' position is located in the Division of Taxation, Department of the Treasury. Jones pursued the matter of her classification with CPM. CPM reviewed all documentation supplied by Jones and performed an audit of her position. CPM found that the duties and responsibilities of Jones's position entailed assisting operating personnel in the preparation of schedules; outlining specific steps to be taken in the installation and/or conversion to new or revised systems; acting as Data Systems liaison to the Office of Information Technology and coordinating data processing operation between the Division of Revenue and outside vendors; analyzing statistical and operating reports using Ad Hoc to detect, investigate, and recommend solutions to backlogs and systems problems, and plan and initiate corrective measures if needed; testing all proposed program changes related to various business, alcohol, and tobacco sales tax, and granting final approval prior to downloading those changes to the Production mainframe; and providing technical assistance to Division of Taxation mainframe users and following up on TaxNet problem forms and requests to resolve issues. However, CPM noted that Jones does not perform tasks involved in the development, implementation and quality control of various automated data processing systems; nor does she coordinate all data

processing activities of an agency, division, small department or large bureau. Based on the foregoing, CPM determined that the duties performed by Jones were consistent with the definition and examples of work included in the job specification for Administrative Analyst 3, Data Processing.

On appeal to the Civil Service Commission (Commission), Jones argues that her duties and responsibilities are more consistent with an Administrative Analyst 2, Data Processing classification. She points to her being the lead analyst for 11 business taxes and maintains that she is solely responsible for performing all of the daily tasks and projects for them. These duties include defining tax specific business requirements; evaluating tax legislation; designing/revising tax forms to conform to applicable tax laws; evaluating user requests for system modification to insure compliance with the established Division policies and procedures; and monitoring tax systems to insure compliance to business rules and end-user acceptance testing and sign-off for all development changes. She argues that she has been performing these duties as a lead analyst since May 2012. Lastly, she argues that CPM highlighted a job duty she performs that is listed under "Examples of Work" for the title of Administrative Analyst 2, Data Processing. Thus, she asserts that an Administrative Analyst 2, Data Processing classification is more appropriate.

CONCLUSION

The definition section of the job specification for Administrative Analyst 2, Data Processing states:

Under direction of a supervisory official, performs tasks involved in the development, implementation, and quality control of the various manual, mechanical, and automated data processing systems of the organization; coordinates all data processing activities of an agency, division, small department, or large bureau; does related work as required.

The definition section of the job specification for Administrative Analyst 3, Data Processing states:

Under direction of a supervisory official, assists in the development, implementation, and quality control of various manual, mechanical, and automated data processing systems of the organization; coordinates all data processing activities of a medium sized bureau, or organizational equivalent with other state agencies; does other related duties as required.

A review of the record reveals that Jones' position is properly classified by the title of Administrative Analyst 3, Data Processing. 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 development, implementation, and quality control of the various manual, mechanical and automated data processing systems of the organization. Incumbents in the title of Administrative Analyst 2, Data Processing, perform assignments with greater independence and complexity than lower level analysts. CPM found that Jones was responsible for creating new program modules and making changes to existing programs used to process, maintain and define data from tax returns; acting as a liaison to the Office of Information Technology; evaluating tax forms periodically for efficiency and effectiveness; revising tax forms to reflect legislative changes; and performing other related duties as required.

Contrarily, Jones does not perform the duties and responsibilities of an Administrative Analyst 2, Data Processing. Jones' argument that she should get a higher classification because she is performing duties of her retired immediate supervisor is erroneous. *See In the Matter of Benjamin Ritter* (CSC, decided July 13, 2011) (Occasionally performing the duties of a higher level employee in his or her absence is not a basis for reclassification of the lower level position). Though Jones may sporadically perform the duties of an Administrative Analyst 2, Data Processing, Jones has failed to present a substantive change in job content to warrant a reclassification. *See e.g., In the Matter of Galen Preble* (Commissioner of Personnel, decided October 3, 1996). Moreover, Jones' argument that because she performs some job duties of an Administrative Analyst 2, Data Processing she should be promoted to the higher classification is unpersuasive. In making classification determinations, emphasis is placed on the Definition section to distinguish one class of positions from another. The Definition portion of a job specification is a brief statement of the kind and level of work being performed in a title series and is relied on to distinguish one class from another. On the other hand, the Examples of Work portion of a job description provides typical work assignments which are descriptive and illustrative and are not meant to be restrictive or inclusive. *See In the Matter of Darlene M. O'Connell* (Commissioner of Personnel, decided April 10, 1992). 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 specifications purposes, the definition portion of the job specification is appropriately utilized. Accordingly, Jones has failed to establish that CPM's determination, that her position is properly classified as an Administrative Analyst 3, Data Processing, was incorrect.

ORDER

Therefore, the Civil Service Commission concludes that the proper classification of Miriam Jones' position is Administrative Analyst 3, Data Processing.

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 MARCH, 2015**

Robert M. Czech

**Robert M. Czech
Chairperson
Civil Service Commission**

**Inquiries
and
Correspondence**

**Henry Maurer
Director
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Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
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Attachment

**c: Miriam Jones
Kenneth Connolly
Douglas Ianni
Joseph Gambino**



Chris Christie
Governor
Kim Guadagno
Lt. Governor

STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
DIVISION OF CLASSIFICATION AND PERSONNEL MANAGEMENT
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Robert M. Czech
Chair/Chief Executive Officer

August 14, 2014

Ms. Miriam Jones
Department of the Treasury
Division of Taxation
50 Barrack Street, 10th Fl.
P.O. Box 269
Trenton, New Jersey 08625-0269

**RE: Classification Appeal – Administrative Analyst 3, Data Processing
CPM Log # 02140200, Position # 046354, EID # 000520356**

Dear Ms. Jones:

This is to inform you and the Department of the Treasury of our determination regarding your classification appeal. This determination is based upon a thorough review and analysis of all information and documentation submitted.

ISSUE:

You are serving in the title, Administrative Analyst 3, Data Processing (P21 – 50073F), and contend you are performing duties and responsibilities commensurate with the title, Administrative Analyst 2, Data Processing (P26 – 50075G).

ORGANIZATION AND STRUCTURE:

Your position is assigned to the Division of Taxation, Data Systems Activity, and you report directly to Mario Zapicchi, Supervising Administrative Analyst (M32). Your position does not possess supervisory responsibility.

FINDINGS OF FACT:

The primary assigned duties and responsibilities of your position include, but are not limited to the following:

- Assisting operating personnel in the preparation of schedules outlining specific steps to be taken in the installation and/or conversion to new or revised systems.
- Acting as Data Systems liaison to the Office of Information Technology, and coordinating data processing operations between the Division of Revenue and outside vendors.
- Analyzing statistical and operating reports using Ad Hoc to detect, investigate, and recommend solutions to backlogs and system problems, and plan and initiate corrective measures if needed.
- Testing all proposed program changes related to various business, alcohol, and tobacco sales taxes, and grant final approval prior to downloading these changes to the Production mainframe.
- Providing technical assistance to Division of Taxation mainframe users, and following up on TaxNet problem forms and requests to resolves issues.

REVIEW AND ANALYSIS:

The definition section of the job specification for the current title, Administrative Analyst 3, (Data Processing) states:

“Under direction of a supervisory official, assists in the development, implementation, and quality control of various manual, mechanical, and automated data processing systems of the organization; coordinates all data processing activities of a medium sized bureau, or organizational equivalent with other state agencies; does other related duties as required.”

The definition section of the job specification for the current title, Administrative Analyst 2, (Data Processing) states:

“Under direction of a supervisory official, performs tasks involved in the development, implementation, and quality control of the various manual, mechanical, and automated data processing systems of the organization; coordinates all data processing activities of an agency, division, small department, or large bureau; does related work as required.”

Ms. Miriam Jones

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A review of your job duties and responsibilities finds that you provide guidance and assistance to operating personnel in preparation of schedules outlining essential steps to be taken in installation and/or conversion to new or revised systems. You also test all proposed program changes and approve updates to existing operations and procedures before uploaded to production, and analyze statistical and operating reports to detect work backlogs and system problems. In addition, you provide technical assistance to the mainframe tax system users, and analyze statistical and operating reports to detect work backlogs and system problems. Those duties, as well as the preponderance of other assigned duties and responsibilities, are encompassed within your current title.

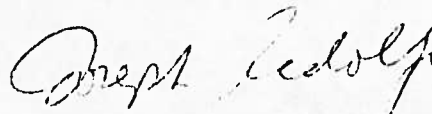
A thorough review and analysis of the assigned duties and responsibilities of this position finds that the position is best classified by the title of Administrative Analyst 3, Data Processing (P21).

DETERMINATION:

Based on the findings of fact cited above, it is my determination that the assigned duties and responsibilities of your position are properly classified by the title, Administrative Analyst 3, Data Processing (P21 – 50073F).

Please be advised that in accordance with *N.J.A.C. 4A:3-3.9*, you may appeal this decision within twenty (20) days of receipt of this letter. This appeal should be addressed to Written Record Appeals 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,



Joseph Ridolfi, Team Leader
Classification and Personnel Management

JR/at

c: Ms. Laura Budzinski, Treasury Human Resources