

B-47



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Carol Hodge, Civil
Service Commission

Request for Reconsideration

CSC Docket No. 2015-1191

ISSUED: MAR - 6 2015 (SLK)

Carol Hodge requests reconsideration of the attached decision rendered on October 1, 2014, which upheld the determination of the Division of Classification and Personnel Management (CPM)¹ that the proper classification of her position with the Civil Service Commission (Commission) is Customer Service Information Specialist 3 (CSIS3). The appellant seeks a classification of Customer Service Information Specialist 2 (CSIS2).

By way of background, the appellant sought a reclassification of her position, alleging that her duties were more closely aligned with the duties of a Principal Clerk. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties she performs as a Senior Clerk. CPM reviewed and analyzed the PCQ completed by the appellant and determined that her position should be classified as CSIS3. The appellant appealed CPM's determination to the Commission, which found that her position would be properly classified as CSIS3.

On reconsideration, the appellant states that the job specifications for CSIS2 and CSIS3 basically describe the same responsibilities and duties. However, the main difference is that a CSIS2 requires the incumbent to research and provide information on a matter and that a CSIS3 requires an incumbent to provide routine information and advice to callers. The appellant claims that she can handle the requirements for both positions. For example, after speaking with a walk-in customer in the lobby, she gathers information from that individual, inputs data,

¹ Now known as the Division of Agency Services.

and then obtains information before returning to the lobby to assist the customer. The appellant reiterates that her clerical duties involve assisting internal and external customers and, as stated in her desk audit, she handles calls that are quick and routine in nature. The appellant emphasizes that she has many other responsibilities such as handling the eligible failure rosters for appointing authorities, filing and maintaining records, researching and gathering information, making copies, sorting and stamping mail pieces and she asserts that these responsibilities are duties listed under the Examples of Work for both the CSIS3 and CSIS2 job specifications. The appellant argues that the CSIS2 job specification details less responsibility than the CSIS3 job specification so she does not understand why her position cannot be classified as CSIS2. Further, the appellant represents that she does not understand why the Examples of Work in a job specification are not considered in the classification of her duties and are only for illustrative purposes only.

CONCLUSION

N.J.A.C. 4A:2-1.6(b) sets forth the standards by which a prior decision may be reconsidered. This rule provides that a party must show that a clear material error has occurred or present new evidence or additional information not presented at the original proceeding which would change the outcome of the case and the reasons that such evidence was not presented at the original proceeding.

The definition section of the job specification Customer Service Information Specialist 3 states:

Under the supervision of a supervisory official in a State department or agency, provides routine information and advice to callers regarding department or agency regulations, programs, services or regulatory functions; utilizes manual and electronic sources to access and provide information; does other related duties.

The definition section of the job specification Customer Service Information Specialist 2 states:

Under the supervision of a supervisory official in a State department or agency, provides technical information and advice to callers regarding department or agency regulations, programs, services or regulatory functions; may research and provide information on matters crossing program areas; utilizes manual and electronic sources to access and provide information; provides guidance and assistance to entry level personnel to enable them to answer inquiries; does other related duties.

In the instant matter, the appellant has not met the standard for reconsideration. Initially, the Commission disagrees with the appellant's interpretation that the job specifications for the two titles are essentially the same and that the CSIS2 title has less responsibility than the CSIS3 title. An incumbent in the CSIS2 title performs research in order to provide technical information and advice. An incumbent in the CSIS3 title provides research that is less involved in order to provide routine information and advice. In other words, the level of knowledge and skill and the time involved in researching information in order to provide technical advice that is required as a CSIS2 is greater than what is expected at the CSIS3 level. As indicated in the prior decision, the appellant responds to anywhere between 150 and 250 customer phone calls and voice mails per day and averages spending 30 to 45 minutes per day attending to customer walk-ins. As evidenced by the number of phone calls that the appellant handles in a day and as acknowledged by the appellant in this request for reconsideration, most of the customer inquiries that the appellant handles are quick and routine in nature, and where an inquiry is more complex, she refers that matter to another source. Consequently, the level of knowledge and skill and time involved in gathering information is considered routine and not technical in nature and therefore her duties do not rise to the level of a CSIS2. As such, the appellant's position is properly classified as a CSIS3.

In reference to the appellant's comments that she does not understand why the examples of work in a job specification are for illustrative purposes only, that she can handle responsibilities for either title, and that her job duties fall under the job descriptions of either titles, 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). 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.

With regard to her question as to why she cannot be classified as CSIS2 as that is what she prefers and that she could have just as easily been given this title, in *In the Matter of Patricia Lightsey* (MSB, decided June 8, 2005), *aff'd on reconsideration* (MSB, decided November 22, 2005), it was affirmed that the outcome of position classification is not to provide a career path to the incumbent, but rather to ensure the position was classified in the most appropriate title available within the State's classification plan. As stated in the prior decision,

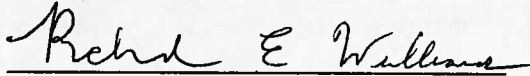
positions, not employees are classified. *See In the Matter of Debra DiCello* (CSC, decided June 24, 2009).

ORDER

Therefore, the Civil Service Commission concludes that the position of Carol Hodge is properly classified as a Customer Service Information Specialist 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 4th DAY OF MARCH, 2015**



**Richard E. Williams
Member
Civil Service Commission**

**Inquiries
and
Correspondence**

**Henry Maurer
Director
Division of Appeals
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P.O. Box 312
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Attachment

**c: Carol Hodge
Ann McClaskey
Kenneth Connolly
Joseph Gambino**



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Carol Hodge, Civil
Service Commission

Classification Appeal

CSC Docket No. 2015-161

ISSUED: OCT 03 2014 (SLK)

Carol Hodge appeals the attached decision of the Division of Classification and Personnel Management (CPM) that the proper classification of her position with the Civil Service Commission is Customer Service Information Specialist 3. The appellant seeks a classification of Principal Clerk.

The record in the present matter establishes that the appellant's permanent title is Customer Service Information Specialist 3. She is assigned to the Civil Service Commission, CPM and reported to Valerie Stutesman, Team Leader, State Certifications up and until the time of the audit. Ms. Hodge's position does not have any supervisor or lead worker responsibility. The appellant sought a reclassification of her position, alleging that her duties are more closely aligned with the duties of a Principal Clerk. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties she performs as a Senior Clerk.¹ CPM reviewed and analyzed the PCQ completed by the appellant as well as supplemental information including an organization chart and her most recent Performance Assessment Review (PAR). In its decision, CPM determined that the duties performed by the Ms. Hodge were consistent with the definition and examples of work included in the job specification for Customer Service Information Specialist 3.

On appeal, the appellant explains that her supervisor, when participating in her desk audit, was not aware that in addition to processing the mail every other month she also has the responsibility of receiving mail that was not being

¹ Senior Clerk was Ms. Hodge's permanent title at the time she submitted her PCQ.

forwarded properly. Therefore, Ms. Hodge states that this is why there is a discrepancy between the percentage of time that she listed on her PCQ managing the mail and the percentage of time that her supervisor believed that she spent working on the mail. The appellant asserts that there is not any difference between the Principal Clerk title and the Senior Clerk title as both are administrative titles that interact with external and internal customers and manage the same responsibilities. While she acknowledges that her primary responsibility is addressing customer needs for the Certification Unit, Ms. Hodge highlights that her new responsibilities include being the back-up on the phone lines for the administrative staff, sorting and distributing mail, and handling walk-ins. She also indicates that she estimates that she answers 150-200 phone calls per day. The appellant argues that having her position classified as a Customer Service Information Specialist 3 is downgrading the classification of her responsibilities and that a Principal Clerk or even Customer Service Information Specialist 2 title would be more in-line with her job duties.

Ms. Hodge also provides an additional submission where she gives some of examples of her resolving issues by phone and email and lists other responsibilities including a variety of administrative, clerical, and customer service responsibilities that she has. The appellant requests that if her position cannot be classified as either Principal Clerk or Customer Service Information Specialist 2, then her title be classified as Senior Clerk which was her permanent title prior to CPM issuing its reclassification.

CONCLUSION

The definition section of the job specification Senior Clerk states:

Under direction of a supervisory official, does clerical work involving the exercise of independent judgment and containing a relatively large proportion of difficult tasks, and/or instructs individuals in the work of a clerical unit; does other related duties as required.

The definition section of the job specification Principal Clerk states:

Under direction of a supervisory official, performs varied clerical work, predominantly complex in nature, requiring knowledge of department laws, regulations, policies, and procedures, and frequent exercise of independent judgment, and may take the lead over the work of a clerical unit; does other related duties as required.

The definition section of the job specification Customer Service Information Specialist 3 states:

Under the supervision of a supervisory official in a State department or agency, provides routine information and advice to callers regarding department or agency regulations, programs, services or regulatory functions; utilizes manual and electronic sources to access and provide information; does other related duties.

The definition section of the job specification Customer Service Information Specialist 2 states:

Under the supervision of a supervisory official in a State department or agency, provides technical information and advice to callers regarding department or agency regulations, programs, services or regulatory functions; may research and provide information on matters crossing program areas; utilizes manual and electronic sources to access and provide information; provides guidance and assistance to entry level personnel to enable them to answer inquiries; does other related duties.

In the matter at hand, it is clear that the appellant's position is properly classified as Customer Service Information Specialist 3. In reviewing the appellant's PCQ and desk audit, Ms. Hodge has indicated that she responds to anywhere between 150 to 250 customer phone calls and voice mails per day and averages spending 30 to 45 minutes per day attending to customer walk-ins. Further, both the appellant and her supervisor maintained that responding to customer inquiries was the appellant's primary responsibility. Therefore, while the appellant does have some clerical responsibilities, the majority of her time is spent addressing customer issues. As such, CPM properly classified Ms. Hodge's position with the Customer Service Information Specialist title series and not the Clerk title series. Additionally, as evidenced by the number of phone calls that the appellant handles in a day as well as the sample phone call Ms. Hodge provided in her supplemental submission, most of the customer inquiries that the appellant handles are quick and routine in nature, and where an inquiry is more complex, she refers that matter to another source. Therefore, the Customer Service Information Specialist 3 is the appropriate classification of the appellant's position.

With regard to the appellant's arguments that she handles tasks that are time consuming, that she is responsible for a large volume of work, that she does her job well, and other similar comments, 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.

In response to the appellant's request to have her position's classification be returned to Senior Clerk, *N.J.A.C. 4A:3-3.4* requires individuals to be employed under a title appropriate to the duties performed. In this case, the duties of the position are clearly consistent with a Customer Service Information Specialist 3 classification. Therefore, there is no basis to return her to the title of Senior Clerk.

ORDER

Therefore, the Civil Service Commission concludes that the position of Carol Hodge is properly classified as a Customer Service Information Specialist 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 1st DAY OF OCTOBER, 2014



Robert E. Brenner
Member
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
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Attachment

c: Carol Hodge
Ann McClaskey
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

July 11, 2014

Ms. Carol Hodge
Civil Service Commission
P.O. Box 320
Trenton, NJ 08625-0320

Re: Classification Appeal

Dear Ms. Hodge:

This is to inform you and the Civil Service Commission, Division of Classification and Personnel Management, of my determination concerning your classification appeal. This determination has been established based on a thorough review and analysis of all information and documentation submitted to this office, and a position audit conducted with you on June 3, 2014, and with your supervisor, Valerie Stutesman, on June 6, 2014.

ISSUE:

Your current title is Senior Clerk (A08, 20043). You listed your working title as Principal Clerk (R12, 20044).

Your immediate supervisor concurs with the description of duties you have listed on your DPF-44 but disagrees with the percentage of time spent performing mail functions.

Your Assistant Director disagrees with the proposed title, Principal Clerk, indicating that your work duties and responsibilities are more closely aligned with your current title, Senior Clerk.

ORGANIZATION:

The position (050699) is located in the Civil Service Commission (CSC), Division of Classification and Personnel Management. The position reports to Valerie Stutesman, Team Leader, State Certifications, up until and including the time of the audit.

Ms. Carol Hodge

July 3, 2014

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The position is assigned to the State Certifications Unit, which is primarily responsible for providing certification to State Appointing Authorities after an eligibility list is issued. The State Certifications unit consists of six staff members; one (1) HRC 5; one (1) HRC 3; one (1) HRC 2; one (1) HRC Trainee; one (1) Technical Program Assistant; and one (1) Senior Clerk.

The position does not supervise staff or function as a lead worker.

FINDING OF FACTS:

The following duties and responsibilities, as listed on your DPF-44, were discussed during the course of the audit conducted with you on June 3, 2014:

- Takes phone calls from customers regarding certification, exam, appeal, and other general matters involving CSC operations and services; redirects the more complex and/or unit specific calls to the appropriate staff member for response.
- Responds to customer voice mail messages for the certifications unit; redirects the more complex matters to a team member or team leader for response.
- Attends to customer walk-ins; addresses the more basic and/or routine inquiries while redirecting the more complex or unit specific inquiries to the appropriate staff member.
- Performs varied data entry functions; updates eligible information concerning address and geographic employment preferences in RAPS mainframe system; key enters information from certification correspondence, appeals, and regular reemployment applications into CPM tracking system; logs certification data and enters return mail information into RAPS mainframe system.
- Performs mail functions; mails certifications, eligibility lists, violation notices, and other correspondence; opens, sorts, stamps and routes incoming mail.
- Provide administrative support to the team members, including managing office supplies, office equipment, copying, filing, etc.

DISCUSSION:

The DPF-44 you prepared indicates you handle approximately 250 incoming phone calls from customers per day regarding various matters involving CSC operations and services. You were asked at the audit to provide an estimate of the amount of phone calls received and handled per day, in which you responded with a range of 150-200 calls. Your supervisor was asked to confirm your response and indicated that your estimate may be a little high but acknowledged that you spend a majority of your work time addressing customer needs.

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You were asked at the audit to describe the nature of the calls received and handled. You indicated that approximately 30% of the calls received and handled require some knowledge and familiarity with certification unit operations, and the other 70% of calls are general inquiries involving CSC operations and services, or calls to be transferred to other staff members for response. Your supervisor was asked to confirm your response and she indicated that your estimate was accurate.

The DPF-44 you prepared indicates that you respond to customer voice mail messages for the certifications unit. The messages are left by customers unable to reach you by phone. You have stated, and your supervisor has confirmed, that you are the sole person in the unit responsible for handling the phone lines. Therefore, if you are on another call, away from your desk, handling other work priorities, or out of the office, the unanswered calls go directly to voice mail. It is your responsibility to listen to all messages received, determine the nature of the problem, gather the information necessary to provide response, and respond in a timely manner. Messages involving complex matters or unit specific inquiries are redirected to the appropriate staff member for reply.

The DPF-44 you prepared indicates that you attend to customer walk-ins. You have stated, and your supervisor has confirmed, that you are the primary point of contact for security staff when customers enter the building requesting information regarding CSC operations or services. You are required to greet the customer, determine the nature of the inquiry, and respond or redirect the customer to the appropriate staff member for further assistance.

The DPF-44 you prepared indicates you perform varied data entry work. You have stated, and your supervisor has confirmed, nearly 50% of the data entry tasks performed are the direct result of a customer request. For example, a customer calls in to advise the CSC of a change in location preference. It is your responsibility to validate the identity of the customer, look up their current information in systems, and update the system with the new information provided by the customer. Other data entry tasks performed involve entering information from certification correspondence, appeals, and regular reemployment applications into CPM tracking system and logging certification data in systems.

The DPF-44 you prepared indicates you spend approximately 25% of your work time performing varied mail functions. You were asked at the audit to estimate the amount of time spent performing mail work, in which you responded one hour per day. This equates to nearly 15% of your work time. Your supervisor was asked to confirm your response and indicated that your estimate is a little on the high side, particularly because you are part of a five member rotation responsible for opening, stamping, sorting and routing division mail. However, she did acknowledge that you are responsible for handling mail duties for the certification unit on a daily basis.

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The DPF-44 you prepared indicates you perform clerical work including copying, scanning and faxing certification and other related correspondence, manual filing, ordering office supplies and materials, and providing administrative support functions to team members. You were asked at the audit to provide an estimate of the time spent collectively performing this work, which you responded was approximately 25%. Your supervisor was asked to confirm your response and indicated that she believes your estimate is a little low. She estimates this work as one third of your job.

The DPF-44 you prepared indicates your work is performed under general supervisory oversight. For clarification purposes, the three types of supervision were defined and explained to you at the audit. Work performed under general supervision is completed independently. The incumbent seldom refers matters to the supervisor except for clarification of policy. After a brief discussion you reiterated that the work performed by you is under general supervision. Your supervisor was asked to confirm your response and indicated you perform your work under close supervision. She explained that most of your duties are routine and repetitive in nature. For example, sorting and distributing mail, data entry of appeals, etc. All other work is performed according to very detailed instructions, and frequent supervisory oversight is required.

REVIEW AND ANALYSIS:

The purpose of this review is to classify the duties presented on your DPF-44, and those discussed with you and your supervisor. That being said, several title classifications were considered for further analysis.

Your position is currently classified by the title Senior Clerk (A08, 20043). The definition section of the job specification for this title states:

"Under direction of a supervisory official, does clerical work involving the exercise of independent judgment and containing a relatively large proportion of difficult tasks, and/or instructs individuals in the work of a clerical unit; does other related duties as required."

You contend that the title Principal Clerk (R11, 20044) is an appropriate title for your position. The definition section for this title states:

"Under direction of a supervisory official, performs varied clerical work, predominantly complex in nature, requiring knowledge of department laws, regulations, policies, and procedures, and frequent exercise of independent judgment, and may take the lead over the work of a clerical unit; does other related duties as required."

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As stated above, the objective of this review is to appropriately classify your position. To do so it is imperative to identify the core function of your position, which has been determined to be public contact. As discussed at the audit, and confirmed by you and your supervisor, you spend a majority of your work time addressing customer needs. This includes answering and responding to phone inquiries, listening to and responding to voice messages, assisting customer walk-ins, and performing other clerical duties (i.e. data entry) as the direct result of a customer request.

Positions assigned to the Customer Service Information Specialist (CSIS) title series are primarily responsible for providing information and advice to customers regarding programs or services unique to the agency. Information is generally provided over the phone, and calls are usually received in succession. Incumbents use a combination of online, mainframe or manual information sources to access and/or update information. Positions in this class are commonly used to staff areas that provide information to members of the general public or other government agencies.

Based on the finding of facts, and the discussion dialogue specified above, your duties most closely resemble the work performed in the Customer Service Information Specialist title series. Two titles have been identified as potential candidates to best classify your position; Customer Service Information Specialist 3 and Customer Service Information Specialist 2.

The definition for Customer Service Information Specialist 3 (A08, 62131) states;

"Under the supervision of a supervisory official in a state department or agency, provides routine information and advice to callers regarding department or agency regulations, programs, services or regulatory functions; utilizes manual and electronic sources to access and provide information; does other related duties."

The definition for Customer Service Information Specialist 2 (A11, 62137) states;

"Under the supervision of a supervisory official in a state department or agency, provides technical information and advice to callers regarding department or agency regulations, programs, services or regulatory functions; may research and provide information on matters crossing program areas; utilizes manual and electronic sources to access and provide information; provides guidance and assistance to entry level personnel to enable them to answer inquiries; does other related duties."

Ms. Carol Hodge

July 3, 2014

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Customer Service Information Specialist 3 (A08, 62131) is considered the entry level of the series. Incumbents at this level disseminate basic information or instruction to answer inquiries where independent judgment is not a factor. Positions at this level are not responsible for the interpretation of regulations, but rather, the dissemination of policy and/or procedural information. Incumbents assist customers with the resolution of simple problems, where the course of action for solution is unvarying. Work is performed under close supervision and guidance is available from a supervisor on short notice.

Customer Service Information Specialist 2 (A11, 62137) is distinguished from the entry level based on the breadth and application of knowledge about the programs and services under the jurisdiction of the agency, and the ability to function more independently. Incumbents at this level should be able to answer complicated or multi-faceted questions without frequent supervisory guidance. They are expected to know how to resolve the more complex customer problems, where the courses of action for solution are more varied. Incumbents at this level should be able to interpret and explain processes, and handle difficult callers, or those who may have trouble articulating their questions or problems. Incumbents may provide guidance to lower level staff but are not required to function in a lead or supervisory capacity.

Please note classification determinations are based on the duties and responsibilities required of the job, not on the individual credentials or skill sets of the incumbent.

DETERMINATION:


As a result of the duties information provided on your DPF-44, the tasks discussed during the course of the audit with you, and the conversation held with your supervisor, it has been determined that the duties of your position are most closely aligned with the title of Customer Service Information Specialist 3 (A08, 62131). This determination is effective May 3, 2014 (pay period 11/14). It was based on the fact that your position is primarily responsible for verbally addressing customer needs, the level of supervision received by your position, and the complexity of duties performed.

The New Jersey Administrative Code 4A:3-3.5(c)1 states that: "within 30 days of receipt of the reclassification determination, unless extended by the Chair in a particular case for good cause, the Appointing Authority shall either effect the required change in the classification of an employee's position; assign duties and responsibilities commensurate with the employee's current title; or reassign the employee to duties and responsibilities to which the employee has permanent rights. Any change in the classification of a permanent employee's position, whether promotional, demotional or lateral, shall be effected in accordance with all applicable rules".

Ms. Carol Hodge
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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 Records Appeal Unit, Division of Appeals and Regulatory Affairs, P.O. Box 312, Trenton, New Jersey 08625-1312. Please note that the submission of an appeal must include written documentation and/or argument substantiating the portions of the determination being disputed and the basis for the appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "John Teubner", written over a horizontal line.

John Teubner
Deputy Director
Division of Classification & Compensation

c: Kelly Glenn, Manager HR
Kenneth Connolly, Director CPM

