

B-46



STATE OF NEW JERSEY

In the Matter of Diane Thompson,
Department of Transportation

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-47

Classification Appeal

ISSUED: APR - 2 2015 (CSM)

Diane Thompson appeals the attached decision of the former Division of Classification and Personnel Management (CPM)¹ that the proper classification of her position with the Department of Transportation is Management Assistant. The appellant seeks an Administrative Analyst 3 classification.

The record in the present matter establishes that at the time of the classification review, the appellant was serving provisionally as an Administrative Analyst 3, but her permanent title is Management Assistant. She is assigned to the Office of Multimodal Services and reports to Paul Truban, Manager 2, Department of Transportation. The appellant does not supervise any employees. Based upon its review of the appellant's application for the promotional examination for Administrative Analyst 3 (PS2573T), the former Division of Selection Services (Services) found her ineligible for that examination and referred the matter of her position's classification for review. The appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties she performs as a provisional Administrative Analyst 3. CPM reviewed and analyzed the PCQ completed by the appellant. On May 29, 2013, CPM conducted a telephone audit with the appellant and Truban. In its decision, CPM determined that the appellant's position would be properly classified as Management Assistant.²

¹ CPM and the examination eligibility review unit of the Division of Selection Services are now in the Division of Agency Services.

² According to agency records, the appellant was returned to her permanent title of Management Assistant in compliance with CPM's determination.

On appeal, the appellant states that she was interviewed for the Administrative Analyst 3 position based on her education and experience and maintains that her job duties are consistent with that classification. The appellant highlights her responsibilities with the Motor Carrier Safety Assistance Program and the Superload oversize/overweight permitting system program, and maintains that these programs involve a great deal of analytical work. The appellant also states that due to the workload of the program, the position requires a 40 hour workweek but CPM's determination referenced that her position should be classified by the Management Assistant title, which is assigned a 35 hour workweek. The appellant also states that the duties of her position were previously performed by an individual with a Senior Management Assistant classification.

CONCLUSION

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

Under the direct supervision of an Administrative Analyst 1 or other supervisor in a State department, institution, or agency, assists in the review, analysis, and appraisal of current departmental administrative procedures, organization, and performance, and helps to prepare recommendations for changes and/or revisions; does other related duties.

The definition section of the job specification for Management Assistant states:

Under the direction of a manager in a State department, institution or agency, or within a local government jurisdiction, provides a wide range of administrative services in support of a manager(s) within the area of assignment; assists in the coordination of management/administrative activities of an assigned unit or work area; does other related duties.

Based on the information presented in the record, it is clear that the appellant's position is appropriately classified as Management Assistant. Positions classified by the Administrative Analyst titles series are primarily involved in the *overall* operational analysis of a specialized area in the organization with the direct responsibility for the recommendation, planning, or implementation of improvements for the agency as a result of such analysis. As noted by CPM, the appellant's position is responsible for the day to day operations associated with the Superload permitting system, answering Data Quality Challenges concerning car accident reports, and the Motor Carrier Safety Assistance Program. While these duties undoubtedly involve analysis of information to answer questions and perform

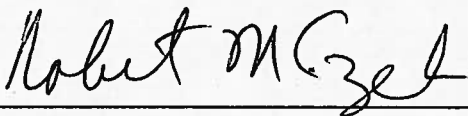
permitting duties, it is clearly not the overall operational analysis required of an Administrative Analyst 3 classification. With respect to her assertion that she is performing the duties of a former employee who was classified as a Senior Management Assistant, a classification appeal cannot be based solely on a comparison to the duties of another position, *especially if that position is misclassified*. 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. Finally, a review of the appellant's personnel record indicates that she was properly returned to her permanent title of Management Assistant, which is assigned a 40 hour work week.

ORDER

Therefore, the Civil Service Commission concludes that the position of Diane Thompson is properly classified as Management Assistant.

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 APRIL, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals
& Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
PO Box 312
Trenton, New Jersey 08625-0312

Attachment

**c: Diane Thompson
Michelle Shapiro
Kenneth Connolly**



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
CLASSIFICATION AND PERSONNEL MANAGEMENT
P. O. Box 313
Trenton, New Jersey 08625-0313

Robert M. Czech
Chair/Chief Executive Officer

Chris Christie
Governor
Kim Guadagno
Lt. Governor

June 4, 2013

Ms. Diane Thompson
Department of Transportation
1035 Parkway Avenue
E & O, 4th Floor
P.O. Box 614
Trenton, New Jersey 08625-0614

**RE: Classification Review -- Diane Thompson,
CPM Log # 01130217, Position# 053532, EID# 000324496**

Dear Ms. Thompson:

This is to inform you of the determination for the classification review referenced above. This determination is based upon a thorough review and analysis of all information and documentation submitted and a telephone audit conducted with you, and your immediate supervisor, Paul Truban, on May 29, 2013.

Issue:

Your permanent title is Management Assistant (P18). You are currently serving provisionally in the title, Administrative Analyst 3. The Civil Service Commission, Division of Selection Services found you ineligible for the promotional examination announcement for Administrative Analyst 3 (PS2573T). Based on their review, it did not appear that your assigned duties and/or responsibilities were consistent with your provisional title. As a result, the Eligibility Unit recommended that a classification review of your position be performed to ensure the proper classification of this position. The Division of Classification and Personnel Management concurred that a classification review appeared warranted.

Organization:

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Your position is located in The Department of Transportation, Multimodal Services, and you report directly to Paul Truban, Manager 2, Department of Transportation Systems Planning (M33). Your position does not possess supervisory responsibility.

Finding of Fact:

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

- Administering the daily operations of the SUPERLOAD oversize/overweight system. Processing requests for oversized vehicle permits required for vehicle operation in the State of New Jersey. Daily duties include setting up usernames and passwords; responding to inquiries and login requests; and advising your supervisor about fluctuations in applications.
- Answering Data Quality Challenges from drivers and their representatives that are challenging information stemming from car accidents.
- Assisting your supervisor in developing a list of issues and areas for improvement regarding the SUPERLOAD permitting system
- Assisting your supervisor with tracking the SUPERLOAD permitting system statistical data.
- Importing car accident information into the SAFETYNET and MCMIS systems. Running queries to ensure that information is consistent in both systems; and correcting errors as needed.

Review and Analysis:

Your position is currently classified by the title Management Assistant (56492-P18). The definition section of the job specification for this title states:

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“Under the direction of a manager in a state department, institution or agency, or within a local government jurisdiction, provides a wide range of administrative services in support of a manager(s) within the area of assignment; assists in the coordination of management/administrative activities of an assigned unit or work area; does other related duties”.

The definition section of the job specification for the title Administrative Analyst 3 (50102-P22) states:

“Under direct supervision of an Administrative Analyst 1 or other supervisor in a state department, institution, or agency, assists in the review, analysis, and appraisal of current department administrative procedures, organization, and performance, and helps to prepare recommendations for changes and/or revisions; does related duties”.

An Administrative Analyst 3 primarily assists in evaluating department administrative procedures and preparing recommendations for changes and revisions to programs and activities. The assigned duties of an Administrative Analyst 3 typically include determining whether department administrative activities are essential and performed efficiently; appraising the effectiveness of operating systems; planning, conducting, and developing analytical studies of existing operations for improvement; and planning varied additional procedures to improve administration.

A review of your job duties and responsibilities finds that your position is responsible for performing the day to day operations associated with the SUPERLOAD permitting system; and answering Data Quality Challenges concerning car accidents reports. Your position gathers, organizes, and summarizes data; analyzes information, data, and processes; formulates recommendations; investigates problems and complaints; maintains databases; and prepares statistical and other reports containing findings, conclusions, and recommendations.

A comprehensive review of all of the information obtained finds that the assigned duties and responsibilities of your position are encompassed by your permanent title of Management Assistant (P18).

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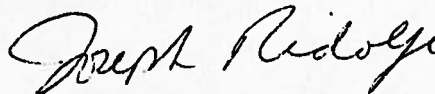
Determination:

Based upon the findings of fact above, it is my determination that the assigned duties and responsibilities of your position are properly classified by your current permanent title Management Assistant (56492-P18). Therefore, this position must be reclassified effective July 13, 2013.

The Civil Service Commission will work with the Department of Transportation to effectuate this transaction.

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 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/tc

c: Ms. Marianne Kandrac, Human Resources, Transportation
Ms. Jane Bando, CSC
PMIS Unit, CSC