



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Carin Giller,
Department of Law and Public Safety

CSC Docket No. 2015-2218

Classification Appeal

ISSUED: JUN - 8 2015 (LDH)

Carin Giller appeals the attached decision of the Division of Classification and Personnel Management¹ (CPM) that determined the proper classification of her position with the Department of Law and Public Safety is Senior Clerk Typist. Giller seeks a Principal Clerk Typist classification.

The record in the present matter establishes that Giller is currently serving in the permanent title of Senior Clerk Typist. Giller's position is located in the Transportation Safety Bureau, Division of State Police, Department of Law and Public Safety. Giller pursued the matter of her classification with CPM. She was asked to complete a Position Classification Questionnaire (PCQ) and all documentation supplied by Giller and her supervisor was reviewed. CPM found that the duties and responsibilities of Giller's position entailed: collecting, organizing and tabulating statistics for various Bureau and units' reports; checking submissions for accuracy; composing and typing correspondence with speed and accuracy; assigning and reviewing tasks assigned to clerical staff; maintaining personnel records pertaining to vacation time, personal leave and sick time for civilian staff; responsible for routing incoming and outgoing correspondence; and tracking all documents received, and assigning a DOC-Tracking number. CPM found that since the Principal Clerk Typist title was assigned to the "R" bargaining unit, it was considered a primary or first-level supervisory title. However, Giller

¹ Now, the Division of Agency Services.

had no supervisory responsibilities. CPM determined that the duties performed by Giller were consistent with the definition and examples of work included in the job specification for Senior Clerk Typist.

On appeal to the Civil Service Commission (Commission), Giller argues that Principal Clerk Typist is a more appropriate title. She contends she performs many "Examples of Work" under the Principal Clerk Typist job specification. In this regard, she ensures that all statistical reports, special requests and crucial data entry reports are completed accurately and entered in a timely manner. In addition, she argues that she is responsible for supervising the Bureau secretaries in executing special requests that the Bureau receives on a daily basis.

CONCLUSION

The definition section of the job specification for Senior Clerk Typist states:

Under supervision, performs typing and other related clerical work requiring exercise of independent judgment and working knowledge of department rules, regulations, and policies, and/or has charge of the work of a small group of clerk typists, and/or has charge of the designated phase of the typing work of the department; does other related duties as required.

The definition section of the job specification for Principal Clerk Typist states:

Under direction of a supervisory official, does clerical work including typing of a complex and/or technical nature requiring knowledge of department laws, regulations, policies, and procedures as well as the frequent exercise of independent judgment, and/or has charge of the work of clerical unit; does related work as required.

A review of the record reveals that Giller's position is properly classified by the title of Senior Clerk Typist. The main distinction between the Senior Clerk Typist and the Principal Clerk Typist is the level of difficulty associated with the typing and clerical responsibilities. Incumbents in the title of Senior Clerk Typist type documents in final form without a rough draft. A Senior Clerk Typist assumes responsibility for the propriety of the forms and the arrangement of the final copy and uses independent judgment as to the form, arrangement, spacing, etc., based on the subject matter. Incumbents in this title organize assigned clerical, typing, and other related work and develop effective work methods. A Senior Clerk Typist reviews, checks and certifies reports, applications and other documents for correctness. An incumbent in this title receives and checks applications and fees, and prepares receipts. A Senior Clerk Typist oversees the operation and care of

office machines and equipment. Lastly, an incumbent in this title answers non-routine inquiries for information within and without the agency.

Giller's duties and responsibilities are more consistent with the title of Senior Clerk Typist. Giller does not perform duties that are of a complex and/or technical nature. On her PCQ, Giller listed her duties as including: collecting, organizing and tabulating all Bureau statistics, weekly SOS matrix report, Bi-Weekly report, SW&t report, for 15% of the time; composing clear, concise reports pertaining to sick leave and extended sick leave, for 5% of the time; and collecting, organizing and tabulating all statistics for the Commercial Carrier South Inspection Unit and the Mobile Safe Freight Unit, for 15% of the time. Clearly, Giller is not primarily performing typing-related clerical work of a complex and/or technical nature. Moreover, Giller's argument that she is doing Principal Clerk Typist "Examples of Work" is unpersuasive. In making classification determinations, emphasis is placed on the definition section to distinguish one class of positions from another. *See In the Matter of Darlene M. O'Connell* (Commissioner of Personnel, decided April 10, 1992). Accordingly, a thorough review of the entire record fails to establish that Giller has presented a sufficient basis to warrant a Principal Clerk Typist classification of her position.

However, the Commission finds it necessary to add a comment with regard to CPM's statement that an incumbent in the title of Principal Clerk Typist must supervise. The Commission does not agree. In this regard, this agency recognizes that job specifications necessarily must permit incumbents at certain levels in a title series the opportunity to perform either the highest level of technical duties associated with the title series or perform supervisory duties. If this were not permitted, employees with requisite technical experience in a particular field could never gain supervisory experience or be groomed for supervisory positions. Conversely, it is also recognized that a work unit necessarily requires employees who are technically competent to perform more complex duties, but are not necessarily inclined or skilled to assume supervisory duties. Thus, some titles are "permissive" in regard to supervisory duties, but not every incumbent in the title supervises. For example, in *In the Matter of Alexander Borovskis, et al.* (MSB, decided July 27, 2005), it was explained that the dual duties track in the Principal Engineer, Transportation title, a primary, or first level supervisory title, is appropriate for this title. Moreover, given that the Project Engineer, Construction is a higher level, or second level, supervisory title, that requires an incumbent to "supervise the work program and staff of a design team in the design unit," it is necessary to actually supervise staff at the Principal level in order to establish eligibility. In this matter, a review of the job specification for Principal Clerk Typist reveals that an incumbent in that title does clerical work including typing of a complex and/or technical nature requiring knowledge of department laws, regulations, policies, and procedures as well as the frequent exercise of independent judgment, *and/or* has charge of the work of clerical unit (emphasis added).

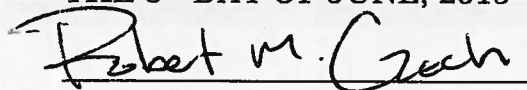
Therefore, the mere fact that Giller does not supervise would not be sufficient, in and of itself, to determine that she was not performing the duties of a Principal Clerk Typist.² However, as discussed above, a review of her duties reveals that she is properly classified as a Senior Clerk Typist. Accordingly, Giller has failed to establish that CPM's determination, that she was properly classified as a Senior Clerk Typist, was incorrect.

ORDER

Therefore, the Civil Service Commission concludes that the proper classification of Carin Giller's position is Senior Clerk Typist.

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 3rd DAY OF JUNE, 2015



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: Carin Giller
Jessica Chianese
Kenneth Connolly
Joseph Gambino

² The Commission has found that the *essential component* of supervision is the responsibility for the administration of performance evaluations for subordinate staff. *See In the Matter of Timothy Teel* (MSB, decided November 16, 2001). The record does not indicate that Giller is responsible for the preparation of performance evaluations for any permanent employees.



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

December 19, 2014

Carin Giller
Division of State Police
3925 US Route 1
Princeton, NJ 08540

Re: Classification Appeal –Senior Clerk Typist (A08), Position #95077, HRM Log #04140023, EID #000489698

Dear Ms. Giller:

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 submitted by you, your immediate supervisor, Louis Bucchere, and your Appointing Authority during the review process.

Issue:

You are serving permanently in the title, Senior Clerk Typist (09, A08, 23233) and contend you are performing duties and responsibilities commensurate with the title, Principal Clerk Typist (13, R12, 23234).

Organization:

Your position is assigned to the Transportation Safety Bureau, Division of State Police of the Department of Law and Public Safety. You report directly to Louis Bucchere, Captain (99, E99, 31865). Your position is assigned no supervisory responsibilities.

Findings of Fact:

The primary function of your position is to perform various clerical duties.

You perform the following assigned duties and responsibilities:

- Collect, organize, and tabulate statistics for various bureau reports and the Commercial Carrier South Inspection Unit and the Mobile Sage Freight Training Unit.

- Check submissions for accuracy. Compose and type correspondence with speed and accuracy. Assign and review tasks assigned to clerical staff.
- Maintain personnel records pertaining to vacation time, personal leave, and sick time for civilian staff. Maintain records and files.
- Responsible for routing incoming and outgoing correspondence. Track all documents received and assign a DOC-Tracking number.

Review and Analysis:

Currently your position is classified in the title, Senior Clerk Typist (09, A08, 23233). The definition section of the job specification for the title, Senior Clerk Typist, states:

“Under supervision, performs typing and other related clerical work requiring the exercise of independent judgment and a working knowledge of department rules, regulations, and policies, and/or has charge of the work of a small group of clerk typists, and/or has charge of the designated phase of the typing work of the department; does related work as required.”

The definition section of the job specification for the title, Principal Clerk Typist (13, R12, 23234), states:

“Under direction of a supervisory official, does clerical work including typing of a complex and/or technical nature requiring knowledge of department laws, regulations, policies, and procedures as well as the frequent exercise of independent judgment, and/or has charge of the work of a clerical unit; does related work as required.”

The work performed by a Principal Clerk Typist consists of organizing and assigning the work of clerical staff and performing complex and technical clerical duties. A Principal Clerk Typist is in the “R” bargaining unit and considered a first level supervisor. A first level supervisor is required to supervise lower level employees and/or an organizational unit. Your position does not have the authority to regularly supervise incumbents and work operations, nor to complete Performance Evaluations, or approve leaves and time sheets. Therefore, you are not working in the capacity or at the level of a first line supervisor.

A review of the job duties and responsibilities assigned to you revealed your position collects, organizes, and tabulates statistics for various bureau and unit reports. Your position is tasked with checking submissions for accuracy, composing correspondence, and routing incoming and outgoing mail. In addition, your position is responsible for maintaining personnel records pertaining to vacation time, personal leave, and sick time for civilian staff. The duties and responsibilities of your position are consistent with duties assigned to the title, Senior Clerk Typist.

Determination:

Based upon the findings of fact cited above, it is my determination that the assigned duties and responsibilities performed by this position are consistent with the title, **Senior Clerk Typist (09, A08, 23233)**; therefore, your position is appropriately classified.

Carin Giller
December 19, 2014
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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 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,

Cheryl Legg, Human Resource Consultant
Classification and Personnel Management

CL/SLA
Cc: Mirella Bednar