

B-8 CSC



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Evette Maynor,
Department of Labor and Workforce
Development

Classification Appeal

CSC Docket No. 2015-1824

JUN 0 8 2015
JUN 10 2015

ISSUED: (HS)

Evette Maynor appeals the attached decision of the Division of Agency Services (Agency Services), which found that her position with the Department of Labor and Workforce Development is properly classified as a Secretarial Assistant 2 (Non-Stenographic). She seeks a Management Assistant job classification in this proceeding.

The appellant received a regular appointment to the title of Secretarial Assistant 2 (Non-Stenographic) on April 8, 1992. In February 2014, the appellant requested a classification review of her position located in the Workforce Field Services Unit, Division of Workforce Employer Services. Agency Services received the request and performed a review of all submitted information, including a Position Classification Questionnaire, and performed telephone audits with the appellant and her supervisor, the Assistant Director, Workforce Field Services. In its decision, Agency Services indicated that the appellant had no supervisory responsibilities. Agency Services' review found that the primary function of the appellant's position was to provide secretarial support to the Assistant Director, Workforce Field Services. The review also found that the appellant: planned and scheduled training and obtained all training needs such as venues and equipment; prepared and sent correspondence to Workforce Office Managers describing training and notifying them of the required participants; prepared and sent confirmation of training with specific training information to all staff who have registered for training; maintained training attendance records and notified Workforce Office Managers of required staff who have not registered for training; coordinated Performance Assessment Reviews (PARs) for staff in local offices; ensured PARs

have the proper signatures and dates and that the manager is not the reviewer of the Performance Assessment Review (PAR) before sending the PARs to the human resource division; prepared travel vouchers for in-State and out-of-State travel; prepared invoices and ordered supplies; maintained supplies of forms, pamphlets and brochures for division use; coordinated and prepared meeting agendas by receiving lists of requested presenters from the Assistant Director and/or Assistant Commissioner, obtaining the presenters' presentation needs, drafting the agenda, and preparing and sending invitations with the final agenda and parking arrangements; maintained directories; compiled data from local offices into a summary report for the Assistant Director; obtained the proper directives from the Library of Directives and sent them to the Workforce Office Managers in response to their inquiries; maintained the Assistant Director's calendar; prepared correspondence and reports as requested by the Assistant Director; opened, sorted and routed incoming correspondence; and assisted in maintaining equipment inventory for the computer rollout program. Based on the foregoing, Agency Services found that the appellant's assigned duties and responsibilities were commensurate with the title of Secretarial Assistant 2 (Non-Stenographic), the title she currently holds.

On appeal, the appellant argues that no consideration was given to the fact that her duties require knowledge of procedures, rules, regulations and guidelines to be followed. The appellant also provides a list of her duties, which states that she is the liaison for such areas as equipment purchasing, travel vouchers and invoices, training, and information technology. Other duties noted by the appellant include technical assistance, responding to phone inquiries and providing work to clerical staff.

CONCLUSION

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.

DISTINGUISHING CHARACTERISTICS:

The Management Assistant series is distinguished from the Secretarial Assistant series due to the assignment of professional duties such as administrative research, identifying, analyzing and recommending

solutions to procedural and/or operational problems or processes, and report preparation. Work is typically assigned on a project basis and generally does not involve the reoccurring or repetitive review of information or data. Secretarial and other office clerical work may be assigned but should not be the primary emphasis of the position. Positions in this class typically act as the principal assistant to the manager(s) regarding administrative matters, and help relieve them of administrative detail. Work is performed with considerable independence and is reviewed upon completion for adherence to instructions, plans and standards.

The definition section of the job specification for Secretarial Assistant 2 (Non-Stenographic) states:

May be assigned as a secretary to deputy division directors, assistant directors, bureau chiefs or their organizational equivalents, having responsibility for the administration of major programs which include administration of a large sub-divisional unit, and management of large regional, field or satellite installations (four or more regional entities), or Deans of State colleges; does related work as required.

Initially, it should be noted that titles are categorized as professional, para-professional, or non-professional. *N.J.A.C. 4A:4-2.5(a)1* states that professional titles require at least a Bachelor's or higher level degree, with or without a clause to substitute experience. Professional work is predominantly intellectual in character, as opposed to routine mental, manual, mechanical or physical work, and it involves the consistent exercise of judgment. It is basically interpretative, evaluative, analytical and/or creative, requiring knowledge or expertise in a specialized field of knowledge. This is generally acquired by a course of intellectual or technical instruction, study and/or research at an institution of higher learning or acquired through an in-depth grasp of cumulative experience. However, there must be thorough familiarity with all the information, theories and assumptions implicit in the chosen field. Persons in professional work should be able to perceive, evaluate, analyze, formulate hypotheses and think in the abstract. Positions are considered professional when the work requires *application* of professional knowledge and abilities, as distinguished from either the desirability of such application or the simple possession of professional knowledge and abilities. See *In the Matter of Lydia Lopez* (CSC, decided May 27, 2009).

The Management Assistant title is a professional title, requiring a Bachelor's degree, and is not a "super-clerical" or paraprofessional title. The focus of the duties of a Management Assistant is to provide a wide range of administrative services supporting a manager or managers within the area of assignment and assist in the coordination of management or administrative activities of an assigned unit or work

area. The incumbent acts as an assistant to a manager to relieve the manager of detail-oriented and time-consuming professional tasks and does not primarily function in a secretarial or office clerical capacity. In the instant matter, following its review of the submitted documentation and information obtained during the telephone audits, Agency Services determined that the primary function of the appellant's position was to provide secretarial support to the Assistant Director, Workforce Field Services. Agency Services also determined that the appellant, to summarize, coordinated training; coordinated PARs; prepared travel vouchers and invoices; maintained supplies; coordinated and prepared meeting agendas; maintained directories; compiled data and prepared reports; responded to inquiries regarding directives; maintained the Assistant Director's appointment calendar; opened, sorted and routed incoming correspondence; and assisted in maintaining equipment inventory. The majority of these duties are secretarial or clerical in nature. As such, the preponderance of the appellant's duties are appropriate to the title of Secretarial Assistant 2 (Non-Stenographic) and do not rise to the level of professional work.

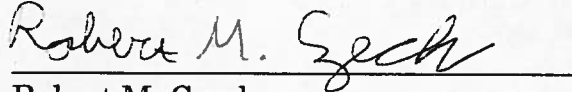
The appellant, on appeal, contends that the classification determination failed to take account of the knowledge that her position requires and provides a list of her duties. However, it should be noted that the foundation of position classification is the determination of duties and responsibilities being performed at a given point in time as verified by this agency through an audit. Thus, classification reviews are based on a current review of assigned duties. See *In the Matter of Community Service Aide/Senior Clerk (M6631A)*, *Program Monitor (M62780)*, and *Code Enforcement Officer (M00410)*, Docket No. A-3062-02T2 (App. Div. June 15, 2004). As such, the appellant's submission of a list of her duties postdating the audit does not provide a basis to disturb Agency Services' decision. Regardless, the listed duties are substantially similar to the duties noted in Agency Services' decision and not inconsistent with the duties typically performed by a Secretarial Assistant 2 (Non-Stenographic). In addition, the particular knowledge that the appellant possesses also does not provide a basis to disturb Agency Services' decision since, as noted, position classification is based on the duties and responsibilities being performed. Accordingly, a review of the entire record establishes that the appellant's position is properly classified as Secretarial Assistant 2 (Non-Stenographic).

ORDER

Therefore, it is ordered that this appeal be denied.

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
Written Record Appeals Unit
Civil Service Commission
P.O. Box 312
Trenton, NJ 08625-0312

Attachment

- c. Evette Maynor
Thomas J. Healy
Kenneth Connolly
Joseph Gambino



CHRIS CHRISTIE
Governor
Kim Guadagno
Lt. Governor

STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
State and Local Operations
P. O. Box 313
Trenton, New Jersey 08625-0313

Robert M. Czech
Chair/Chief Executive Officer

November 28, 2014

Ms. Evette Maynor
New Jersey Department of Labor and Workforce Development
1 John Fitch Plaza, 7th Floor
PO Box 044
Trenton, NJ 08625-044

**Re: Classification Appeal – Secretarial Assistant 2, Non-Stenographic (A17, 24532C),
Position # 940866, CPM Log# 02140270, EID # [REDACTED]**

Dear Ms. Maynor:

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 October 24, 2014, as well as the information provided by your immediate supervisor, Joseph Dombrowski, Senior Executive Service (M98, 90752).

Issue:

You are serving permanently (RA4) in the title, Secretarial Assistant 2, Non-Stenographic (A17, 24532C), Department of Labor and Workforce Development. You contend you are performing duties and responsibilities commensurate with the title, Management Assistant (P18, 56492).

Organization:

Your position is assigned to the Workforce Field Services Unit, Division of Workforce Employer Services, New Jersey Department of Labor and Workforce Development. You report directly to Joseph Dombrowski, Senior Executive Service (M98, 90752). You have no supervisory responsibilities.

Findings of Fact:

The primary function of your position is to provide secretarial support to the Assistant Director, Workforce Field Services.

You perform the following assigned duties and responsibilities:

- Plan and schedule training and obtain all training needs such as venues and equipment.
- Prepare and send correspondence to Workforce Office Managers describing training and notifying them of the required participants.
- Prepare and send confirmation of training with their specific training information to all staff who have registered for training.
- Maintain training attendance records and notify Workforce Office Managers of required staff who have not registered for training.
- Coordinate Performance Assessment Reviews (PARs) for staff in local offices: Ensure PARs have the proper signatures and dates and that the manager is not the reviewer of the PAR before sending the PARs to the Human Resource division.
- Prepare travel vouchers for in-state and out-of-state travel.
- Prepare invoices and order supplies.
- Maintain supplies of forms, pamphlets and brochures for division use.
- Coordinate and prepare meeting agendas: Receive list of requested presenters from Assistant Director and/or Assistant Commissioner, obtain presenters presentation needs, draft the agenda, and prepare and send invitations with the final agenda and parking arrangements.
- Maintain directories.
- Compile data from local offices into a summary report for the Assistant Director.
- Obtain the proper directive from the Library of Directives and send to Workforce Office Managers in response to their inquiries regarding directives.
- Maintain Assistant Director's appointment calendar.
- Prepare correspondence and reports as requested by the Assistant Director.

- Open, sort and route incoming correspondence.
- Assist in maintaining equipment inventory for the computer rollout program.

Review and Analysis:

Currently, your position is classified in the title, Secretarial Assistant 2, Non-Stenographic (A17, 24532C). The definition section of the job specification for the title states:

“May be assigned as a secretary to deputy division directors, assistant directors, bureau chiefs or their organizational equivalents, having responsibility for the administration of major programs which include administration of a large sub-divisional unit, and management of large regional, field, or satellite installations (four or more regional entitles), or Deans of state colleges; does related work as required.”

Incumbents in the title, Secretarial Assistant 2, Non-Stenographic, perform a variety of base level support functions requiring the utilization of base level analytical skills where independent judgment is required. Incumbents obtain pertinent materials from files and other sources and put it into usable form for the review and use of the executive officer and prepare memoranda and summaries for his/her use. Incumbents prepare statistical and other reports and act to relieve the officer of detail by providing information to those requesting it including unit personnel, other state organizations and the public. Research is often required to develop the appropriate reply.

You contend your position should be classified in the title, Management Assistant. The definition section of the class specification for the title, Management Assistant (P18, 56491) 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.”

The Management Assistant series is distinguished from the Secretarial Assistant series in the assignment of professional duties such as administrative research, identifying, analyzing and recommending solutions to procedural and/or operational problems or processes, and report preparation. Work is typically assigned on a project basis and generally does not involve the reoccurring or repetitive review of information or data. Secretarial and other office clerical work may be assigned but is not the primary emphasis of the position. Positions in this class typically act as the principal assistant to the manager(s) regarding administrative matters, and help relieve them of administrative detail. Work is performed with considerable independence and is reviewed upon completion for adherence to instructions, plans and standards.

The Management Assistant series is distinguished from the Administrative Assistant series in the ability to simultaneously provide administrative services to more than one manager. Positions providing administrative services to more than one manager on a temporary or short-term basis shall not be included in this class (e.g. vacation/sick day coverage). The organizational level of the manager(s) providing assignment is irrelevant to positions in this class, whereas positions in the Administrative Assistant series, by definition, are classified according to the organizational level of the manager to whom they report. You provide administrative services to Joseph Dombrowski, Assistant Director, Workforce Field Services. Your position does not provide administrative services to more than one manager simultaneously.

The definition section of the class specification for the title, Administrative Assistant 3 (P18, 59903) states:

“Assists the head of a Bureau or Service in a state department, institution, or agency by performing and coordinating administrative support services: does other related work.”

Incumbents in the title, Administrative Assistant 3, perform a variety of duties to relieve the executive officer of administrative detail related to the internal operation of the unit. Incumbents serve to coordinate support services to insure the availability and efficient use of resources needed to accomplish the goals of the unit. The main difference between an Administrative Assistant and a Secretarial Assistant is the level of analysis needed in performing their functions. Administrative Assistants use a comprehensive analysis of unit operational needs, to perform such duties as preparing the administrative aspects of the annual budget, coordinating fiscal and personnel procedures and investigating administrative and/or operational problems.

The audit revealed you report to Joseph Dombrowski, Assistant Director, Workforce Field Services, and are responsible for preparing travel requests and vouchers for in-state and out-of-state travel, preparing correspondence, opening, sorting and routing mail, ordering supplies for the twenty-three local offices, recording and compiling data from local offices and putting it into a usable format for the Assistant Director, relieving the Assistant Director of detail by providing information to those requesting it, and preparing meeting agendas. Based upon the level of responsibility and assigned duties, your duties and responsibilities are commensurate with the title, Secretarial Assistant 2, Non-Stenographic (A17, 24532C).

Evette Maynor

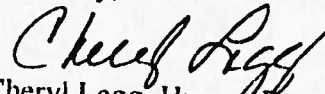
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Determination:

It is our determination that the appropriate classification of your position is the title, Secretarial Assistant 2, Non-Stenographic (A17, 24532C). By copy of this letter the Appointing Authority is advised that your position is presently and properly classified.

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