



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Lewis Caple III,  
Rowan University

Classification Appeal

CSC Docket No. 2018-3262

ISSUED: December 10, 2018 (RE)

Lewis Caple III appeals the decision of the Division of Agency Services (Agency Services) that the proper classification of his position with Rowan University (Rowan) is Professional Services Specialist 3, Administrative Services. The appellant seeks a classification of Professional Services Specialist 2, Administrative Services.

The appellant filed a request for a position classification review of his permanent title as Professional Services Specialist 3, Administrative Services. The appellant is assigned to the Office of the Bursar at Rowan, reports to an Assistant Bursar, a non-civil service title, and does not supervise employees. The appellant sought a reclassification of his position, alleging that his duties are more closely aligned with the duties of a Professional Services Specialist 2, Administrative Services. Agency Services reviewed all documentation supplied by the appellant including his Position Classification Questionnaire (PCQ), Performance Assessment Review (PAR) and organizational chart, and it conducted telephone interviews with the appellant and his supervisor. Based on its review of the information provided, Agency Services concluded that the appellant’s position was properly classified as Professional Services Specialist 3, Administrative Services.

On appeal to the Civil Service Commission (Commission), the appellant states he analyzes and processes financial aid and non-financial aid refunds, a job previously performed by an Assistant Supervisor 2, Administrative Services. He states that he works independently and that another incumbent Professional Services Specialist 2, Administrative Services and an Assistant Supervisor 2,

Administrative Services do not supervise. He contends that he takes the lead in third party setup and billing by updating data on various military websites, including tuition and fee amounts, term dates, course descriptions and degree programs. As some of these updates have step by step instructions for specific file formatting that requires involvement with the Information Technology department, he assigns these tasks to them, making sure they have the required information for setup, testing the completed files, and executing the updated files to the websites. For refunds, he is the main point of contact; explains policies and procedures regarding student refunds; and students, parents, and other coworkers are sent to him for answers. He indicates that he is responsible for refund processing, as he sets up and coordinates the secure room for paper refund check distribution to students, which includes preparing a schedule of dates/times, reserving a proper room, coordinating security to oversee the event, ordering and setting up the proper signage, and supervising the actual distribution to be sure proper procedures are followed. He contacts appropriate offices, presents the issue to the appropriate person, waits for a resolution, and follows up if necessary. He performs data analysis to accurately produce a student refund.

## CONCLUSION

*N.J.A.C. 4A:3-3.9(e)* states that in classification appeals, the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the job specification for Professional Services Specialist 3, Administrative Services states:

Under the direction of a Professional Services Specialist 2 or higher supervisory officer in the Administrative Services area at a State college, is responsible for independently performing professional work of greater difficulty using established policies, procedures, precedents, and guidelines; does related work as required.

The definition section of the job specification for Professional Services Specialist 2, Administrative Services states:

Under the supervision of a higher administrative officer in the administrative services area at a State college, is responsible for independently performing professional work of considerable difficulty using established policies, procedures, precedents, and guidelines; takes the lead over lower level staff; does related work as required.

The definition section of the job specification for Technical Assistant 3 states:

Under the general supervision of a supervisory official in a State department, institution, or agency, takes the lead over the technical and/or clerical staff and has responsibility for the work programs of an identifiable technical unit responsible for reviewing, monitoring and processing specific actions requiring the application of rules, regulations, policies and/or procedures, or independently, under general supervision, reviews, analyzes, and makes effective recommendations for actions involving a specific element of a regulatory administrative program requiring the application of rules regulations, policies procedures, and/or technical concepts; does other related duties as required.

The definition section of the job specification for Financial Aid Assistant states:

Under supervision of the Director of Financial Aid, assists in the operation of a Financial Aid Office of a State College; does other related duties.

By way of background, in 1993 the former Merit System Board created many generic non-competitive titles for use by the Department of Higher Education as part of a settlement agreement to resolve a bargaining unit charge brought before the Public Employee Relations Commission by various unions. Specifically, that charge claimed that some of the titles created by the State Colleges after July 1986, *i.e.*, the ones in accordance with *N.J.S.A.* 18A:64-21.2 that were no longer subject to the provisions of Title 11A, actually involved functions performed by career service titles that were formerly aligned, bargaining unit titles. Germane to the matter at hand, one of the title series that was created is Professional Services Specialist, Administrative Services. Accordingly, when these generic, non-competitive titles were created, they were assigned to an employee relations group in the appropriate bargaining unit.

While the appellant argues that another incumbent Professional Services Specialist 2, Administrative Services and an Assistant Supervisor 2, Administrative Services do not supervise, such an argument is unpersuasive. Initially, the Commission notes that a classification appeal cannot be based solely on a comparison to the duties of another position, especially if that position is misclassified. *See In the Matter of Dennis Stover, Middletown Township* (Commissioner of Personnel, decided February 20, 1997). *See also, In the Matter of Carol Maita, Department of Labor* (Commissioner of Personnel, decided March 16, 1995). Further, the definition of Professional Services Specialist 2, Administrative Services clearly indicates that this is a lead worker title, not a supervisory title.

Taking the lead is the distinguishing characteristic in considering whether a position should be classified at the requested title. A leadership role refers to those persons whose titles are non-supervisory in nature, but are required to act as a leader of a group of employees in titles at the same or a lower level than themselves. Duties and responsibilities would include training, assigning and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations. Acting as a representative does not define a position as a lead worker, and being the sole person responsible for a given workload ensures that an incumbent is not a lead worker. Being a lead worker does not mean that work is performed only by one person, but involves mentoring others in work of the title series. The appellant does not have the responsibility of a lead worker and therefore, Professional Services Specialist 2, Administrative Services is not appropriate for this position. It is noted that Professional Services Specialist 2, Administrative Services is not a supervisory title, as the appellant suggests. The appellant's position stands on its own and is classified based on the duties he performs. The duties performed by other individuals, whether properly or improperly classified, are irrelevant in determining the proper classification of the appellant's position.

In the matter at hand, the responsibilities of the position include: processing all financial aid and non-financial aid for students; applying student credit to accounts; managing the financial records of student payments; and assisting in collection and payment processing. The primary focus of the position is the processing of refunds through the correct systems and ensuring that student financial information is properly recorded. The volume of his work has increased over time, and he processes refunds under time constraints. Refund processing currently includes testing and reviewing prior to disbursements to ensure that students are not awarded more than their financial aid budget and funds are not being issued in excess of bills, ensuring that refunds equal refunded credit card payments, ensuring proper billing for costs, and adjusting refunds based on changes such as withdrawals and dropped classes.

Although the volume of work required of the position has increased, 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). Further, the duties of this position are best categorized as para-professional rather than professional.

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 interpretive, 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 hypothesis, 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. Para-professional work involves some of the duties of a professional, but in a supportive role. This work needs less formal training, and spans the gap between clerical or non-technical and professional work. The para-professional performs a particular aspect of a professional task, but is not licensed to practice as a fully qualified professional.

In this case, the appellant's role is predominantly to process all financial aid and non-financial aid for students, including records and accounts management. As the position is located in the Bursar's Office rather than a Financial Aid Office, and processes non-financial aid for students, the Financial Aide Assistant title is too limiting. The position does not fit in the accounting title series, the duties of which concern financial statements, budgets and audits. This position includes monitoring the fiscal affairs of the area and provide information for inclusion in the budget, and compiling and analyzing statistical, financial, and other data, but these are ancillary tasks. The primary focus is issuing refund checks and invoices, and managing the records and accounts for accuracy. These duties are not professional, but include independently, under general supervision, reviewing, analyzing, and making effective recommendations for actions involving a specific element of a regulatory administrative program requiring the application of rules regulations, policies procedures, and/or technical concepts. As such, Technical Assistant 3 is the proper title for this position.

In accordance with *N.J.A.C.* 4A:3-3.5(c) within 30 days from the issuance date of a classification determination, an appointing authority shall either effect the required change in the classification of the 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 rights.

A thorough review of the information presented in the record establishes that the appellant's position is not properly classified as an Professional Services Specialist 3, Administrative Services, and he has not presented a sufficient basis to establish that his position warrants an Professional Services Specialist 2, Administrative Services job classification. Rather, this position should be classified as Technical Assistant 3. As the Commission is reclassifying this position in this proceeding, consistent with *N.J.A.C.* 4A:3-3.5(c), his effective date shall be the pay

period 30 days from the date of this decision, unless the appointing authority reassigns his duties consistent with his permanent title of Professional Services Specialist 3, Administrative Services.

**ORDER**

Therefore, the Civil Service Commission concludes that the position of Lewis Caple III is properly classified as a Technical Assistant 3. Within 30 days of the issuance date on this decision, the appellant should receive a provisional appointment as a Technical Assistant 3 or he be assigned duties consistent with his permanent title of Professional Services Specialist 3, Administrative Services.

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 5<sup>th</sup> DAY OF DECEMBER, 2018



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