

timeline, and agree on report-generated informatics.¹ The information varies from project to project, and therefore her approach varies. She states that she finds time- and cost-effective methods to recruit individuals, and researches such issues as whether they have a green card or visa, current labor market salaries, reviews rules and case law on classification and compensation, runs Business Objects reports to compare available position numbers against available funding, and investigates needs and recommends modifying budgets to accommodate unfunded projects. She argues that these are not elemental personnel activities. She indicates that her duties include touring various work locations to setup and design “fit-out of project sites,” designing work stations to meet needs and accommodate workflow, and review the specification for and purchase any equipment needed. She states that the scenarios presented by the managers are of a wide variety, routine and complex, requiring different solutions. She discusses progress with managers, and identifies and solves problems to meet deadlines. During and at the conclusion of a project, Powell states that she calculates and reports the status, obstacles, solutions, results, costs, best methods, and other information, either verbally or in a narrative or graph format or using PowerPoint.

The appellant indicates that she schedules meetings for others, coordinates her supervisor’s calendar, and processes travel training requests, but that these duties do not comprise the majority of her day or workload, and are not her primary duties. She states that she will perform these duties until a secretary is hired, but that the work does not represent a lot of effort or time.

In support of the appeal, a Project Manager, Data Processing indicates that the appellant has been a member of his team, providing recruiting support for staffing and hiring. He indicates that her activities include developing and strategizing the hiring mechanism including salary negotiation, facilities fit-out including inspection of products or work, working with budget office is to identify funding sources, providing guidance on addressing performance for behavioral issues, and reporting to the Chief Information Officer the status of projects. He states that many of our activities require her to analyze the situation and provide information and exercise judgment. Another Project Manager, Data Processing indicates that the appellant writes technical correspondence for senior management and staff in support of software rollouts, liaises with technical staff to improve efficiency and effectiveness of databases, and leaves the design and creation of reusable charts and reports for distribution to senior management. She has also provided key support for the purchase of hardware and software and other resources, implements the initiation, planning, execution and close out of multiple OITS projects and teams, obtains equipment and allocates space for projects and “offboards” resources when the project closes.

¹ The science of processing data for storage and retrieval; information science.

The Chief Information Officer explains that the budget for the IT infrastructure is dependent on funds from other divisions. She states that the appellant performs some centralized clerical duties, but they represent a minor portion of her time. She indicates that most of the appellant's time is spent working with managers on different projects and preparing status reports for her review.

CONCLUSION

N.J.A.C. 4A:3-3.9(e) states that classification appeals be submitted in writing within 20 days of receipt of the decision letter and include 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 Secretarial Assistant 1, Non-Stenographic states:

May be assigned as a secretary to deputy commissioners, assistant commissioners or division directors or their organizational equivalents, superintendents or chief administrators of institutions, or vice presidents of state colleges; does other related work as required.

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

Under the direction of a manager in a State department, institution, or agency, or within a local government jurisdiction, provides varied complex 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 complex administrative matters, and help relieve them of administrative detail.

Employees at the senior level are delegated a high degree of responsibility for making recommendations to the manager involving complex administrative action, and may be responsible for implementing such recommendations. Employees frequently exercise independent judgment and make decisions concerning processes to be followed, the appropriateness of the information to be processed, and the actions to be taken. Work is performed independently requiring minimal review for adherence to instructions, plans and standards.

At the outset, it is 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. Thus, since the Management Assistant title requires completion of a Bachelor's degree with a substitution clause, which permits additional experience in lieu of the college credits, as well as one year of relevant experience, it is considered a professional title. Further, professional work 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. *See In the Matter of Lewis Gordon* (Commissioner of Personnel, decided September 27, 1997) (Youth Worker title series not considered to be at a level and scope consistent with professional experience). 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.

The Senior Management Assistant is not a "super-clerical" or paraprofessional title, and would not be referred to as "support." The incumbent acts as an assistant to a Manager, not in a supportive or secretarial function, but rather, relieves the Manager of detail-oriented and time-consuming professional tasks. The Senior Management Assistant performs work independently, with less supervision than a Management Assistant, and has responsibility for insuring completion of work, or has responsibility for an entire program or activity. The Senior Management Assistant oversees workloads, recommends changes in assignments, procedures, equipment or practices, and estimates the need for work. The organizational chart shows that the appellant reports directly to a Chief Information Officer, who is in charge of five units, and who has no other support person for clerical or secretarial duties.

A review of the duties of this position indicates that the Senior Management Assistant title is not the best fit. Some of the duties may be para-professional in

nature, but viewed holistically, they do not rise to the level of professional work. For example, the appellant does not conduct independent research and studies on administrative matters. She performed research, with the conversion to Office 365 (Lotus to Outlook). However, there is no indication that similar projects are assigned on a regular basis. On appeal, the appellant describes in general terms how she approaches the management of a project, and provides one example, recruiting consultants. She states that she researches titles, pay rates, and information systems. It is unclear how these inquiries and procedures would need to be repeated for each consultant after the first one of each type is developed. In this case, touring work locations and setting up work stations, and hiring staff and consultants, is administrative personnel-related work. While this may impact a project, it is not work of the project, or the activity of the assigned work area.

The appellant does not develop effective work methods on a regular basis. In the audit, the appellant stated that she created the "Tip of the Day" to find the best way to migrate to Microsoft Outlook, but again, no other effective work methods were mentioned, and this appears to be one project, that is mostly complete. There is no indication that she takes the lead in various administrative projects. A given title is not applicable simply because some aspect of the duties are included in the job definition. Rather, assigned duties must be the *primary* focus of the position. The record does not indicate that the appellant has responsibility for the programs that she works with, but such responsibility is vested with the project manager. That is, if the work is not completed, a program is not implemented, or an incorrectly performed task results in efficiency or wastes money, the record does not indicate that the onus is on the appellant, but is on the project manager. A Senior Management Assistant has authority over a specific area of activity, or management of specific programs, as a primary function. However, the PCQ and desk audit information indicate that the appellant does not have this authority as a primary function, but rather, assists in the coordination of administrative support functions. Additionally, the appellant performs tasks and duties which are not at the level and scope of a Senior Management Assistant. For example, entering data in a tracking system, making arrangements, collecting data, preparing form letters, arranging schedules and calendars, maintaining requests for building and parking access, and recording minutes of meetings, are not tasks assigned to a Senior Management Assistant.

Accordingly, a thorough review of the entire record fails to establish that Carolyn Powell has presented a sufficient basis to warrant a Senior Management Assistant classification of her position.

ORDER

Therefore, the position of Carolyn Powell is properly classified as a Secretarial Assistant 1, Non-Stenographic.

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 15th DAY OF AUGUST, 2018



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Carolyn Powell
Loreta Sepulveda
Kelly Glenn
Records Center