



STATE OF NEW JERSEY

In the Matter of Technical Assistant
Titles, Motor Vehicle Commission

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2024-2152

Request for Title Reallocation
(Corrected Decision)

ISSUED: July 12, 2024 (SLK)

The Division of Agency Services (Agency Services), on behalf of the Motor Vehicle Commission (MVC), requests that the Technical Assistant 1, Technical Assistant 2, and Technical Assistant 3 titles be placed in the noncompetitive division of the career service on an interim basis.

By way of background, the MVC received mandates from the federal government and the State requiring implementation of various legislation, including, but not limited to the Electronic Lien and Title Legislation, P.L. 2021, c. 462 (C:39:10-19.5 *et al.*), the new State Pointer Exchange or State-to-State Verification Service (SPEX/S2S) federal requirements, and the “Transfer of Death” (TOD) to beneficiaries, P.L. 2022, c.13 (S906). To ensure compliance with these mandates and provide the best possible service to the citizens of New Jersey, the duties performed by employees in the Division of Customer Information and Advocacy have evolved. Specifically, the job responsibilities of employees in the Customer Service Information Specialist title series are now consistent with those of the Technical Assistant title series. Therefore, out of business necessity, the MVC is requesting that 56 employees in the Division of Customer Information and Advocacy, who are serving in the Customer Service Information Specialist title series (base and bilingual), be reclassified to the Technical Assistant title series. MVC also is requesting that based on the logistics involved, that this reclassification be effective on September 7, 2024.

N.J.A.C. 4A:3-1.2(c)3 provides that a job title may be placed in the noncompetitive division on an ongoing or interim basis when there is a need for

immediate appointments arising from a new legislative program or major agency reorganization.

In light of the above, Agency Services is requesting the titles list below be reallocated to the noncompetitive division of the career service on an interim basis, for one pay period, to allow the MVC to reclassify and permanently appoint employees in the Division of Customer Information and Advocacy as follows:

Technical Assistant 1 (A15-52523 Competitive) to Technical Assistant 1
A15-52523 Non-Competitive (Interim)

Technical Assistant 2 (P18-52524 Competitive) to Technical Assistant 2
P18-52524 Non-Competitive (Interim)

Technical Assistant 3 (P21-52525 Competitive) to Technical Assistant 3
P21-52525 Non-Competitive (Interim)

In accordance with *N.J.A.C.* 4A:3-1.2(e), the affected negotiations representatives were notified May 23, 2024, of the request to reallocate the subject titles to the noncompetitive division on an interim basis. In reply, the Communications Workers of America Local 1033 indicated its agreement with the proposed effective date.

CONCLUSION

N.J.A.C. 4A:3-1.2(c) provides that a job title may be placed in the noncompetitive division on an ongoing or interim basis when it is determined by the Civil Service Commission (Commission) that it is appropriate to make permanent appointments to the title and one or more of the following criteria are met.

1. Competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job;
2. Certification procedures based on ranked eligible lists have not or are likely have not or likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems, and working conditions; or
3. There is a need for immediate appointments arising from a new legislation program or major agency reorganization.

N.J.A.C. 4A:3-1.2(e) provides that prior to any reallocation from the competitive to noncompetitive division, whether on an ongoing or interim basis, an administrative review shall be conducted and notice of the proposed reallocation shall

be sent to affected appointing authorities and negotiations representatives. The notice shall designate the period of time, which in no event shall be less than 20 days, during which written comment may be submitted, and may provide for a public hearing.

In the instant matter, the MVC seeks to reallocate the Technical Assistant 1 (A15/52523), Technical Assistant 2 (P18/52524), and Technical Assistant 3 (P21/52525) titles to the noncompetitive division of the career service on an interim basis. Based on the circumstances surrounding this matter as described above, Agency Services supports the request. These noncompetitive appointments will allow the MVC to employ experienced individuals who have the requisite knowledge, skills and service within the Division of Customer Information and Advocacy to ensure compliance with State and federal legislative mandates and provide the best possible service to the citizens of New Jersey. Additionally, the affected negotiations representatives were given notice of this request in accordance with *N.J.A.C.* 4A:3-1.2(e). Therefore, the Commission grants Agency Services' request as outlined in *N.J.A.C.* 4A:3-1.2(c)3 in order to allocate the above referenced titles to the noncompetitive division of the career service on an interim basis, for one pay period, in order to effectuate the appointment of the affected employees into the appropriate titles. It is noted that the employees would need to serve current working test periods, since appointments cannot become permanent until successful completion of a working test period pursuant to *N.J.A.C.* 4A:4-5.1, *et seq.* Further, this decision is based on the unique facts of this case and does not set a precedent for any other matter.

ORDER

It is ordered that the specified titles within the Motor Vehicle Commission be reallocated to the noncompetitive division title of the career service on an interim basis, for one pay period, beginning on September 7, 2024, in order to effectuate the appointment of the 56 named employees into the appropriate titles.

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 JULY, 2024

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Chairperson
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