

B-14



STATE OF NEW JERSEY

In the Matter of Erol Azanli, *et. al.*,
Department of Law and Public Safety

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket Nos. 2015-1339, 2015-
1355, 2015-1351, 2015-1353, 2015-
1352, 2015-1349, 2015-1350

Classification Appeals

ISSUED: MAY 08 2015 (JET)

Erol Azanli, Brett Hutchinson, Melissa Leto, Theresa Nezezoon, Linnea Schiffner, Christine Schlenker and Christopher Szymkowiak appeal the attached decisions of the former Division of Classification and Personnel Management (CPM)¹ that the proper classification of their positions with the Department of Law and Public Safety is Forensic Scientist 1. The appellants seek Forensic Scientist 2 classifications. Since these appeals involve similar issues, they have been consolidated herein.

The record in the present matter establishes that at the time the appellants filed their requests for classification review, they were serving in the title Forensic Scientist 1. The appellants' positions are located in the Division of State Police and do not have any supervisory duties. The appellants sought reclassification of their positions, contending they would be more appropriately classified in the title Forensic Scientist 2. In support of their requests, the appellants submitted Position Classification Questionnaires (PCQs) detailing the different duties that they performed. CPM reviewed all of the documentation supplied by the appellants, including their PCQs. Based on its review of the information provided, including the unit organization chart, CPM concluded that the appellants' positions would be properly classified as Forensic Scientist 1.

¹ Formerly the Division of State and Local Operations (SLO) and currently the Division of Agency Services (Agency Services).

It is noted that, except for Ms. Schiffner, the appellants had previously sought reclassification of their positions in 2010. In the determinations dated April 9, 2010, SLO found that their positions should be reclassified as Forensic Scientist 2 and the appellants were provisionally appointed to that title effective June 20, 2009. Subsequently, the appointing authority contacted this agency in November 2010 and requested that the job specification for Forensic Scientist 2 be revised in order to more clearly distinguish what constitutes complex cases, which would be inappropriate for an incumbent in the Forensic Scientist 1 title. Accordingly, the job specification was revised effective January 15, 2011. As a result of this revision to the job specification, the appointing authority removed the complex duties that the appellants had been assigned and returned them to their permanent titles of Forensic Scientist 1 effective January 29, 2011.

On appeal, the appellants assert that they are regularly assigned to complete complex and complicated work on an out-of-title basis that otherwise would be performed by employees serving as a Forensic Scientist 2. The appellants add that such work has continued to be assigned despite the fact that the job specification for Forensic Scientist 2 changed in January 2011. In this regard, they argue that their current assignments include kinship analysis, complex mixture analysis, complex statistical analysis, and rush/expedite cases. In addition, the appellants contend that the job specification for Forensic Scientist 2 does not indicate that supervision of employees, including preparation of employee evaluations, is a requirement of the position. They add that, except for one employee, none of the other individuals serving as Forensic Scientist 2 are responsible for completing employee evaluations. Moreover, Mr. Hutchinson, Ms. Leto, Ms. Schiffner, Ms. Schlenker and Mr. Szymkowiak argue that they are responsible for training individuals who were recently appointed to Forensic Scientist 1. The appellants also assert that an on-site desk audit should be conducted. In support of their arguments, the appellants provide a list of cases with descriptions which they argue evidence that they complete complex and complicated work.

CONCLUSION

The definition section of the job specification for Forensic Scientist 2 states:

Under the general direction of a Forensic Scientist 3 in the Department of Law and Public Safety, conducts the more difficult and specialized work involved in the chemical analysis of various matter, substances, specimens, and materials submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; may supervise or provide guidance to Forensic Scientist 1, Chemists, Laboratory

Technicians, or other laboratory personnel; may function as a Laboratory Information Management System (LIMS) Coordinator, Laboratory Safety Representative/Coordinator, or Quality Assurance (QA) Coordinator of a discipline; performs related field and laboratory work as required.

The definition section of the job specification for Forensic Scientist 1 states:

Under the general direction of a Forensic Scientist 2 or 3 in the Department of Law and Public Safety, conducts the chemical analysis of various materials and evidence submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; performs related field and laboratory work as required.

A review of the record clearly shows that CPM appropriately found that the proper classification of the appellants' positions is Forensic Scientist 1. On appeal, the appellants argue that they are performing the duties of a Forensic Scientist 2 on an out-of-title basis. Specifically, they argue that they train new employees and perform complex and complicated work such as kinship analysis, complex mixture analysis, complex statistical analysis, and rush/expedite cases. However, a review of the record indicates that the preponderance of the appellants' duties do not include conducting the more difficult and specialized work involved as required, nor do they supervise other personnel or function as a coordinator. As CPM determined, the appellants' duties include receiving biological evidence from crime scenes; conducting DNA analysis; extraction, quantitation, purification, and amplification tests on physical evidence; preparing and issuing detailed reports containing findings of analysis; testifying in legal proceedings as an expert witness; providing clear explanation of DNA analysis and contents of reports; and maintaining and generating laboratory reports. These duties are commensurate with a Forensic Scientist 1. Additionally, the Division Director confirmed that these duties are the typical duties of a Forensic Scientist 1. While the Division Director noted that some assignments occasionally become more complex after analysis, he emphasized that the appellants do not routinely work on complex cases. In this regard, the fact that some of an employee's assigned duties may compare favorably with some examples of work found in a given job specification is not determinative for classification purposes, since, by nature, examples of work are utilized for illustrative purposes only. Moreover, any duties which could be otherwise considered out-of-title, such as training were, according to the appellants' PCQs, performed only a very small percentage of time. It is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed. For purposes of determining the appropriate level with a

given class, and for overall job specification purposes, the definition portion of the job specification is appropriately utilized.

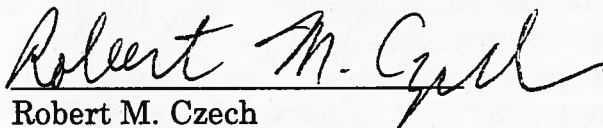
Regarding the appellants' arguments that an on-site desk audit was not conducted, classification reviews are typically conducted either by paper review, based on the duties questionnaire completed by the employee and supervisor; an on-site audit with the employee and supervisor; or a formal telephone audit to obtain clarifying information. *See In the Matter of Richard Cook* (Commissioner of Personnel, decided August 22, 2006). In this matter, the method of review was appropriate and the appellants have not demonstrated that the review was deficient in any way. Accordingly, there is no basis to disturb the determination of CPM that the appellants' positions are properly classified as Forensic Scientist 1.

ORDER

Therefore, it is ordered that these appeals 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 6th DAY OF MAY, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals
& Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachments

c: Erol Azanli (Docket No. 2015-1339)
Brett Hutchinson (Docket No. 2015-1355)
Melissa Leto (Docket No. 2015-1351)
Theresa Nezezoon (Docket No. 2015-1353)
Linnea Schiffner (Docket No. 2015-1352)
Christine Schlenker (Docket No. 2015-1349)
Christopher Szymkowiak (Docket No. 2015-1350)
Jessica Chianese
Mirella Bednar
Kenneth Connolly
Joseph Gambino

File Copy



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

October 9, 2014

Erol Azanli
1200 Negron Drive
Hamilton, NJ 08691

**Re: Classification Appeal – Forensic Scientist 1, Department of Law and Public Safety (P25),
Position #957682, Log #03140158, EID #000489704**

Dear Mr. Azanli:

This office has conducted a thorough review and analysis of the information submitted, including the Position Classification Questionnaire (DPF-44S), organization chart, your Performance Assessment Review (PAR), your statements, and the statements of your supervisor, program manager (or division director) and appointing authority.

Issue:

You are serving permanently in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592) and contend you are performing duties and responsibilities commensurate with the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593).

Organization:

Your position is assigned to the DNA Laboratory, Division of State Police of the Department of Law and Public Safety. You report directly to Edward LaRue, Forensic Scientist 3, Department of Law and Public Safety (30, S30, 01594). Your position has no supervisory duties.

Findings of Fact:

The primary function of your position is to receive physical evidence and conduct DNA analysis. You perform the following assigned duties and responsibilities:

- Perform extraction, quantitation and amplification tests on physical evidence such as blood, semen, saliva, tissue, hairs and skin cells.
- Prepare and issue detailed reports containing the findings of analysis.

- Testify in legal proceedings as an expert witness, providing accurate and informative subject matter.

Review and Analysis:

Currently your position is classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592). The definition section of the job specification for the title, Forensic Scientist 1, Department of Law and Public Safety, states:

"Under the general direction of a Forensic Scientist 2 or 3 in the Department of Law and Public Safety, conducts the chemical analysis of various materials and evidence submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; performs related field and laboratory work as required."

You contend your position should be reclassified to title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). The definition section of the job specification for the title states:

"Under the general direction of a Forensic Scientist 3 in the Department of Law and Public Safety, conducts the more difficult and specialized work involved in the chemical analysis of various matter, substances, specimens and materials submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; May supervise or provide guidance to Forensic Scientists 1, Chemists, Laboratory Technicians, or other laboratory personnel; may function as a Laboratory Information Management System (LIMS) Coordinator, Laboratory Safety Representative/Coordinator, or Quality Assurance (QA) Coordinator of a discipline; performs related field and laboratory work as required."

The work performed by a Forensic Scientist 2, Department of Law and Public Safety consists of handling special and more complex cases involving multiple controls and/or sources. A Forensic Scientist 2, Department of Law and Public Safety is responsible for supervising and providing guidance to Forensic Scientist 1 and other laboratory personnel. Additionally, a Forensic Scientist 2, Department of Law and Public Safety 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, as well as complete Performance Evaluations, and approve leaves and time sheets, therefore; you are not working in the capacity or at the level of a first line supervisor. Therefore, it is our finding that your position is currently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety.

Determination:

In accordance with the Civil Service Commission's standards, your position does not meet the criteria established for the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). By copy of this letter, the appointing authority is advised that based on the duties currently assigned, your position is presently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592).

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

Erol Azanli
October 9, 2014
Page 3

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,

A handwritten signature in black ink, appearing to read "Kelly Glenn", with a stylized flourish at the end.

Kelly Glenn, Assistant Division Director
Classification and Personnel Management

KG/sr

Cc: Mirella Bednar



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

October 14, 2014

Brett Hutchinson
1200 Negron Drive
Hamilton, NJ 08691

**Re: Classification Appeal – Forensic Scientist 1, Department of Law and Public Safety (P25),
Position #956400, Log #03140160, EID #000377098**

Dear Mr. Hutchinson:

This office has conducted a thorough review and analysis of the information submitted, including the Position Classification Questionnaire (DPF-44S), organization chart, your Performance Assessment Review (PAR), your statements, and the statements of your supervisor, program manager (or division director) and appointing authority.

Issue:

You are serving permanently in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592) and contend you are performing duties and responsibilities commensurate with the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593).

Organization:

Your position is assigned to the DNA Laboratory, Division of State Police of the Department of Law and Public Safety. You report directly to Lynne McBride, Forensic Scientist 3, Department of Law and Public Safety (30, S30, 01594). Your position has no supervisory duties.

Findings of Fact:

The primary function of your position is to receive physical evidence and conduct DNA analysis. You perform the following assigned duties and responsibilities:

- Perform extraction, quantitation, amplification and detection tests on physical evidence such as blood, semen, saliva, and cigarette butts.
- Interpret data obtained from analysis to generate detailed reports for law enforcement agencies.

- Testify in legal proceedings as an expert witness, providing accurate and informative subject matter.
- Conduct monthly check of various instrumentation.
- Solicit bids for autoclave service contracts and schedule maintenance.

Review and Analysis:

Currently your position is classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592). The definition section of the job specification for the title, Forensic Scientist 1, Department of Law and Public Safety, states:

"Under the general direction of a Forensic Scientist 2 or 3 in the Department of Law and Public Safety, conducts the chemical analysis of various materials and evidence submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; performs related field and laboratory work as required."

You contend your position should be reclassified to title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). The definition section of the job specification for the title states:

"Under the general direction of a Forensic Scientist 3 in the Department of Law and Public Safety, conducts the more difficult and specialized work involved in the chemical analysis of various matter, substances, specimens and materials submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; May supervise or provide guidance to Forensic Scientists 1, Chemists, Laboratory Technicians, or other laboratory personnel; may function as a Laboratory Information Management System (LIMS) Coordinator, Laboratory Safety Representative/Coordinator, or Quality Assurance (QA) Coordinator of a discipline; performs related field and laboratory work as required."

The work performed by a Forensic Scientist 2, Department of Law and Public Safety consists of handling special and more complex cases involving multiple controls and/or sources. A Forensic Scientist 2, Department of Law and Public Safety is responsible for supervising and providing guidance to Forensic Scientist 1 and other laboratory personnel. Additionally, a Forensic Scientist 2, Department of Law and Public Safety 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, as well as complete Performance Evaluations, and approve leaves and time sheets, therefore; you are not working in the capacity or at the level of a first line supervisor. Therefore, it is our finding that your position is currently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety.

Determination:

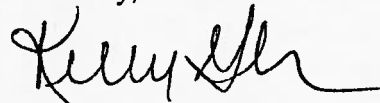
In accordance with the Civil Service Commission's standards, your position does not meet the criteria established for the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). By copy of this letter, the appointing authority is advised that based on the duties currently assigned, your

Brett Hutchinson
October 14, 2014
Page 3

position is presently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592).

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,

A handwritten signature in black ink, appearing to read "Kelly Glenn", with a stylized flourish at the end.

Kelly Glenn, Assistant Division Director
Classification and Personnel Management

KG/sr

Cc: Mirella Bednar



Chris Christie
Governor
Kim Guadagno
Lt. Governor

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P. O. Box 313
Trenton, New Jersey 08625-0313

Robert M. Czech
Chair/Chief Executive Officer

October 16, 2014

Melissa Leto
1200 Negron Drive
Hamilton, NJ 08691

**Re: Classification Appeal – Forensic Scientist 1, Department of Law and Public Safety (P25),
Position #654352, Log #03140163, EID #000311806**

Dear Ms. Leto:

This is to inform you of our determination concerning the classification appeal referenced above. This office has conducted a thorough review and analysis of the information submitted, including the Position Classification Questionnaire (DPF-44S), organization chart, your Performance Assessment Review (PAR), your statements, and the statements of your supervisor, program manager (or division director) and appointing authority.

Issue:

You are serving permanently in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592) and contend you are performing duties and responsibilities commensurate with the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593).

Organization:

Your position is assigned to the DNA Laboratory, Division of State Police of the Department of Law and Public Safety. You report directly to Edward LaRue, Forensic Scientist 3, Department of Law and Public Safety (30, S30, 01594). Your position has no supervisory duties.

Findings of Fact:

The primary function of your position is to receive biological evidence from crime scenes to conduct DNA analysis. You perform the following assigned duties and responsibilities:

- Perform extraction, quantitation, purification, and amplification tests on physical evidence.
- Prepare and issue detailed reports containing the findings of analysis.

- Testify in legal proceedings as an expert witness, providing a clear explanation of DNA analysis and contents of reports.
- Maintain the Laboratory Information Management System (LIMS) and generate daily DNA LIMS reports.

Review and Analysis:

Currently your position is classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592). The definition section of the job specification for the title, Forensic Scientist 1, Department of Law and Public Safety, states:

"Under the general direction of a Forensic Scientist 2 or 3 in the Department of Law and Public Safety, conducts the chemical analysis of various materials and evidence submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; performs related field and laboratory work as required."

You contend your position should be reclassified to title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). The definition section of the job specification for the title states:

"Under the general direction of a Forensic Scientist 3 in the Department of Law and Public Safety, conducts the more difficult and specialized work involved in the chemical analysis of various matter, substances, specimens and materials submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; May supervise or provide guidance to Forensic Scientists 1, Chemists, Laboratory Technicians, or other laboratory personnel; may function as a Laboratory Information Management System (LIMS) Coordinator, Laboratory Safety Representative/Coordinator, or Quality Assurance (QA) Coordinator of a discipline; performs related field and laboratory work as required."

The work performed by a Forensic Scientist 2, Department of Law and Public Safety consists of handling special and more complex cases involving multiple controls and/or sources. A Forensic Scientist 2, Department of Law and Public Safety is responsible for supervising and providing guidance to Forensic Scientist 1 and other laboratory personnel. Additionally, a Forensic Scientist 2, Department of Law and Public Safety 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, as well as complete Performance Evaluations, and approve leaves and time sheets, therefore; you are not working in the capacity or at the level of a first line supervisor. Therefore, it is our finding that your position is currently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety.

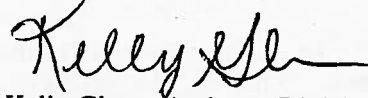
Determination:

In accordance with the Civil Service Commission's standards, your position does not meet the criteria established for the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). By copy of this letter, the appointing authority is advised that based on the duties currently assigned, your position is presently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592).

Melissa Leto
October 16, 2014
Page 3

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,

A handwritten signature in black ink, appearing to read "Kelly Glenn", with a stylized flourish at the end.

Kelly Glenn, Assistant Division Director
Classification and Personnel Management

KG/sr

Cc: Mirella Bednar



Chris Christie
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Lt. Governor

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P. O. Box 313
Trenton, New Jersey 08625-0313

Robert M. Czech
Chair/Chief Executive Officer

October 24, 2014

Theresa Nezezon
1200 Negron Drive
Hamilton, NJ 08691

**Re: Classification Appeal – Forensic Scientist 1, Department of Law and Public Safety (P25),
Position #046157, Log #03140175, EID #000313649**

Dear Ms. Nezezon:

This office has conducted a thorough review and analysis of the information submitted, including the Position Classification Questionnaire (DPF-44S), organization chart, your Performance Assessment Review (PAR), your statements, and the statements of your supervisor, program manager (or division director) and appointing authority.

Issue:

You are serving permanently in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592) and contend you are performing duties and responsibilities commensurate with the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593).

Organization:

Your position is assigned to the DNA Laboratory, Division of State Police of the Department of Law and Public Safety. You report directly to Christopher Huber, Forensic Scientist 3, Department of Law and Public Safety (30, S30, 01594). Your position is assigned no supervisory duties.

Findings of Fact:

The primary function of your position is to conduct DNA analysis on biological evidence. You perform the following assigned duties and responsibilities:

- Perform extraction, quantitation, and amplification tests on biological evidence such as body fluids and tissues.

- Interpret data to prepare comprehensive reports which include summary of DNA analysis and conclusions.
- Testify in legal proceedings as an expert witness, providing clear and accurate explanation of subject matter.
- Assist with administering proficiency tests and maintaining test records.

Review and Analysis:

Currently your position is classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592). The definition section of the job specification for the title, Forensic Scientist 1, Department of Law and Public Safety, states:

"Under the general direction of a Forensic Scientist 2 or 3 in the Department of Law and Public Safety, conducts the chemical analysis of various materials and evidence submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; performs related field and laboratory work as required."

You contend your position should be reclassified to title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). The definition section of the job specification for the title states:

"Under the general direction of a Forensic Scientist 3 in the Department of Law and Public Safety, conducts the more difficult and specialized work involved in the chemical analysis of various matter, substances, specimens and materials submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; May supervise or provide guidance to Forensic Scientists 1, Chemists, Laboratory Technicians, or other laboratory personnel; may function as a Laboratory Information Management System (LIMS) Coordinator, Laboratory Safety Representative/Coordinator, or Quality Assurance (QA) Coordinator of a discipline; performs related field and laboratory work as required."

The work performed by a Forensic Scientist 2, Department of Law and Public Safety consists of handling special and more complex cases involving multiple controls and/or sources. A Forensic Scientist 2, Department of Law and Public Safety is responsible for supervising and providing guidance to Forensic Scientist 1 and other laboratory personnel. Additionally, a Forensic Scientist 2, Department of Law and Public Safety 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, as well as complete Performance Evaluations, and approve leaves and time sheets, therefore; you are not working in the capacity or at the level of a first line supervisor. Therefore, it is our finding that your position is currently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety.

Determination:

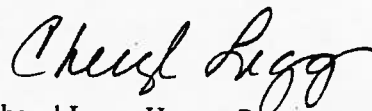
In accordance with the Civil Service Commission's standards, your position does not meet the criteria established for the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). By copy of this letter, the appointing authority is advised that based on the duties currently assigned, your

Theresa Nezezon
October 24, 2014
Page 3

position is presently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592).

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,

A handwritten signature in cursive script, appearing to read "Cheryl Legg".

Cheryl Legg, Human Resource Consultant 5
Classification and Personnel Management

CL/sr

Cc: Mirella Bednar



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

October 22, 2014

Linnea Schiffner
1200 Negron Drive
Hamilton, NJ 08691

**Re: Classification Appeal – Forensic Scientist 1 , Department of Law and Public Safety (P25),
Position #102632, Log #03140170, EID #000371066**

Dear Ms. Schiffner:

This office has conducted a thorough review and analysis of the information submitted, including the Position Classification Questionnaire (DPF-44S), organization chart, your Performance Assessment Review (PAR), your statements, and the statements of your supervisor, program manager (or division director) and appointing authority.

Issue:

You are serving permanently in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592) and contend you are performing duties and responsibilities commensurate with the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593).

Organization:

Your position is assigned to the DNA Laboratory, Division of State Police of the Department of Law and Public Safety. You report directly to Robyn Schwartz, Forensic Scientist 3, Department of Law and Public Safety (30, S30, 01594). Your position has no supervisory duties.

Findings of Fact:

The primary function of your position is to conduct DNA analysis on biological evidence. You perform the following assigned duties and responsibilities:

- Perform extraction, quantitation, and amplification tests on biological evidence such as body fluids and tissues.

- Interpret data to prepare comprehensive reports which include summary of DNA analysis and conclusions.
- Testify in legal proceedings as an expert witness, providing clear and accurate explanation of subject matter.
- Provide assistance with the maintenance of laboratory equipment.

Review and Analysis:

Currently your position is classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592). The definition section of the job specification for the title, Forensic Scientist 1, Department of Law and Public Safety, states:

"Under the general direction of a Forensic Scientist 2 or 3 in the Department of Law and Public Safety, conducts the chemical analysis of various materials and evidence submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; performs related field and laboratory work as required."

You contend your position should be reclassified to title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). The definition section of the job specification for the title states:

"Under the general direction of a Forensic Scientist 3 in the Department of Law and Public Safety, conducts the more difficult and specialized work involved in the chemical analysis of various matter, substances, specimens and materials submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; May supervise or provide guidance to Forensic Scientists 1, Chemists, Laboratory Technicians, or other laboratory personnel; may function as a Laboratory Information Management System (LIMS) Coordinator, Laboratory Safety Representative/Coordinator, or Quality Assurance (QA) Coordinator of a discipline; performs related field and laboratory work as required."

The work performed by a Forensic Scientist 2, Department of Law and Public Safety consists of handling special and more complex cases involving multiple controls and/or sources. A Forensic Scientist 2, Department of Law and Public Safety is responsible for supervising and providing guidance to Forensic Scientist 1 and other laboratory personnel. Additionally, a Forensic Scientist 2, Department of Law and Public Safety 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, as well as complete Performance Evaluations, and approve leaves and time sheets, therefore; you are not working in the capacity or at the level of a first line supervisor. Therefore, it is our finding that your position is currently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety.

Determination:

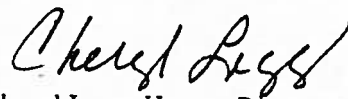
In accordance with the Civil Service Commission's standards, your position does not meet the criteria established for the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). By copy of this letter, the appointing authority is advised that based on the duties currently assigned, your

Linnea Schiffner
October 22, 2014
Page 3

position is presently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592).

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,

A handwritten signature in cursive script, appearing to read "Cheryl Legg".

Cheryl Legg, Human Resource Consultant 5
Classification and Personnel Management

CL/sr

Cc: Mirella Bednar



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

October 17, 2014

Christine Schlenker
1200 Negron Drive
Hamilton, NJ 08691

**Re: Classification Appeal – Forensic Scientist 1, Department of Law and Public Safety (P25),
Position #654362, Log #03140169, EID #000375203**

Dear Ms. Schlenker:

This office has conducted a thorough review and analysis of the information submitted, including the Position Classification Questionnaire (DPF-44S), organization chart, your Performance Assessment Review (PAR), your statements, and the statements of your supervisor, program manager (or division director) and appointing authority.

Issue:

You are serving permanently in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592) and contend you are performing duties and responsibilities commensurate with the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593).

Organization:

Your position is assigned to the DNA Laboratory, Division of State Police of the Department of Law and Public Safety. You report directly to Lynne McBride, Forensic Scientist 3, Department of Law and Public Safety (30, S30, 01594). Your position has no supervisory duties.

Findings of Fact:

The primary function of your position is to receive physical evidence and conduct DNA analysis. You perform the following assigned duties and responsibilities:

- Perform extraction, quantitation, and amplification tests on physical evidence such as body fluids, tissues, hair roots and bones.

- Interpret data to prepare detailed reports which include summary of DNA analysis and conclusions.
- Conduct pre-trial conferences and testify in legal proceedings as an expert witness, providing clear and accurate subject matter.
- Maintain amplification kits for the DNA laboratory and perform periodic quality assurance tests on the equipment.

Review and Analysis:

Currently your position is classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592). The definition section of the job specification for the title, Forensic Scientist 1, Department of Law and Public Safety, states:

"Under the general direction of a Forensic Scientist 2 or 3 in the Department of Law and Public Safety, conducts the chemical analysis of various materials and evidence submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; performs related field and laboratory work as required."

You contend your position should be reclassified to title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). The definition section of the job specification for the title states:

"Under the general direction of a Forensic Scientist 3 in the Department of Law and Public Safety, conducts the more difficult and specialized work involved in the chemical analysis of various matter, substances, specimens and materials submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; May supervise or provide guidance to Forensic Scientists 1, Chemists, Laboratory Technicians, or other laboratory personnel; may function as a Laboratory Information Management System (LIMS) Coordinator, Laboratory Safety Representative/Coordinator, or Quality Assurance (QA) Coordinator of a discipline; performs related field and laboratory work as required."

The work performed by a Forensic Scientist 2, Department of Law and Public Safety consists of handling special and more complex cases involving multiple controls and/or sources. A Forensic Scientist 2, Department of Law and Public Safety is responsible for supervising and providing guidance to Forensic Scientist 1 and other laboratory personnel. Additionally, a Forensic Scientist 2, Department of Law and Public Safety 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, as well as complete Performance Evaluations, and approve leaves and time sheets, therefore; you are not working in the capacity or at the level of a first line supervisor. Therefore, it is our finding that your position is currently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety.

Determination:

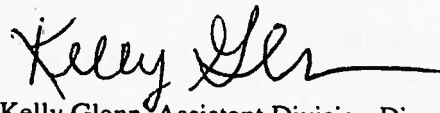
In accordance with the Civil Service Commission's standards, your position does not meet the criteria established for the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). By copy of this letter, the appointing authority is advised that based on the duties currently assigned, your

Christine Schlenker
October 17, 2014
Page 3

position is presently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592).

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,

A handwritten signature in black ink, appearing to read "Kelly Glenn", with a long horizontal flourish extending to the right.

Kelly Glenn, Assistant Division Director
Classification and Personnel Management

KG/sr

Cc: Mirella Bednar



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

October 22, 2014

Christopher Szymkowiak
1200 Negron Drive
Hamilton, NJ 08691

**Re: Classification Appeal – Forensic Scientist 1, Department of Law and Public Safety (P25),
Position #654353, Log #03140171, EID #000491127**

Dear Mr. Szymkowiak:

This office has conducted a thorough review and analysis of the information submitted, including the Position Classification Questionnaire (DPF-44S), organization chart, your Performance Assessment Review (PAR), your statements, and the statements of your supervisor, program manager (or division director) and appointing authority.

Issue:

You are serving permanently in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592) and contend you are performing duties and responsibilities commensurate with the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593).

Organization:

Your position is assigned to the DNA Laboratory, Division of State Police of the Department of Law and Public Safety. You report directly to Lynne McBride, Forensic Scientist 3, Department of Law and Public Safety (30, S30, 01594). Your position has no supervisory duties.

Findings of Fact:

The primary function of your position is to conduct DNA analysis on biological evidence. You perform the following assigned duties and responsibilities:

- Perform extraction, quantitation, and amplification tests on biological evidence such as body fluids and tissues.

- Interpret data to prepare comprehensive reports which include summary of DNA analysis and conclusions.
- Testify in legal proceedings as an expert witness, providing clear and accurate explanation of subject matter.
- Provide assistance with the maintenance of laboratory equipment.

Review and Analysis:

Currently your position is classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592). The definition section of the job specification for the title, Forensic Scientist 1, Department of Law and Public Safety, states:

"Under the general direction of a Forensic Scientist 2 or 3 in the Department of Law and Public Safety, conducts the chemical analysis of various materials and evidence submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; performs related field and laboratory work as required."

You contend your position should be reclassified to title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). The definition section of the job specification for the title states:

"Under the general direction of a Forensic Scientist 3 in the Department of Law and Public Safety, conducts the more difficult and specialized work involved in the chemical analysis of various matter, substances, specimens and materials submitted to the laboratory by law enforcement agencies and Medical Examiners Offices for identification in connection with criminal investigations and prosecutions; May supervise or provide guidance to Forensic Scientists 1, Chemists, Laboratory Technicians, or other laboratory personnel; may function as a Laboratory Information Management System (LIMS) Coordinator, Laboratory Safety Representative/Coordinator, or Quality Assurance (QA) Coordinator of a discipline; performs related field and laboratory work as required."

The work performed by a Forensic Scientist 2, Department of Law and Public Safety consists of handling special and more complex cases involving multiple controls and/or sources. A Forensic Scientist 2, Department of Law and Public Safety is responsible for supervising and providing guidance to Forensic Scientist 1 and other laboratory personnel. Additionally, a Forensic Scientist 2, Department of Law and Public Safety 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, as well as complete Performance Evaluations, and approve leaves and time sheets, therefore; you are not working in the capacity or at the level of a first line supervisor. Therefore, it is our finding that your position is currently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety.

Determination:

In accordance with the Civil Service Commission's standards, your position does not meet the criteria established for the title, Forensic Scientist 2, Department of Law and Public Safety (28, R28, 01593). By copy of this letter, the appointing authority is advised that based on the duties currently assigned, your

Christopher Szymkowiak
October 22, 2014
Page 3

position is presently properly classified in the title, Forensic Scientist 1, Department of Law and Public Safety (25, P25, 01592).

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,

A handwritten signature in black ink, appearing to read "Cheryl Legg", written in a cursive style.

Cheryl Legg, Human Resource Consultant 5
Classification and Personnel Management

CL/sr

Cc: Mirella Bednar