



STATE OF NEW JERSEY

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

In the Matter of Vernal Harris and
Joseph Rivera, Office of Information
Technology

CSC Docket Nos. 2016-1399 and
2016-1400

Classification Appeals

ISSUED: NOV 30 2016

Vernal Harris and Joseph Rivera, represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032, appeal the attached decisions of the Division of Agency Services (Agency Services) that the proper classification of their positions with the Office of Information Technology is Technician, Management Information Systems. The appellants seek an Information Technology Specialist classification. These appeals have been consolidated based upon common issues presented.

The record in the present matter establishes that at the time the appellants filed their requests for a classification review, they were serving as Technicians, Management Information Systems. The appellants' positions are located in the Administrative Services Division and they are supervised by Ronald Luccarelli, Supervisor Data Processing Technical Support. The appellants sought reclassification, contending that their positions would be more appropriately classified as Information Technology Specialist. In support of their requests, the appellants submitted Position Classification Questionnaires (PCQs) detailing the different duties that they performed. Agency Services reviewed all documentation supplied by the appellants including their PCQs. Based on its review of the information provided, Agency Services concluded that the appellants' positions are properly classified as Technician, Management Information Systems.

On appeal, the appellants list the duties that they claim coincide with an Information Technology Specialist classification. In this regard, they state that unlike most Desktop Support Units throughout the State, OIT is not a "Tier 1" shop. Rather, it is a "Tier 2" and "Tier 3" shop which qualifies it for having the

requested classification. The appellants note the differences between "Tiers" in relation to technical support and highlight the fact that they do not accept calls from end-users, which is a "Tier 1" job duty. In this regard, they present that industry IT standards define "Tier 1" as the initial support level responsible for basic customer issues, first-line, front-end support denoting a basic level technical support function to gather information and determine the customer's issue by analyzing the symptoms and figuring out the underlying problems. "Tier 2" is generally defined as a more in-depth technical support level which requires technicians that are more experienced and knowledgeable in a particular product or service. "Tier 3" is generally defined as the technical support model handling the most difficult or advanced problems staffed by individuals who are experts in their fields and are not only responsible for assisting both "Tier 1" and "Tier 2" personnel, but with the research and development of solutions to new or unknown issues. In this case, the appellants explain that end-user issues are escalated up to them, and, depending on the severity of the issue, it can either be "Tier 2" or "Tier 3." In this regard, the appellants detail the 85% of their job duties that they contend coincide with the Information Technology Specialist title. In support of these appeals, Luccarelli states that the appellants' duties clearly fall into the category of "Tier 2" or "Tier 3" and that their positions are not of a "Tier 1" nature.

CONCLUSION

The definition section of the job specification for Technician, Management Information Systems states:

Under supervision assigned to a program or operational unit having responsibility for a specific, existing information processing system operation, implements and monitors management information systems used to compile, store, retrieve, and process varied types of financial, program, or other information unique to the unit; operates computers and related equipment controls; analyzes and troubleshoots information processing program or system error conditions; updates and analyzes application software problems; performs system maintenance; or in a client/server environment, provides hardware and software on servers or workstations; does other related duties.

The definition section of the job specification for Information Technology Specialist states:

Under direct supervision in a State department, agency, data center, institution, or State college, assists in at least one of the following areas: the design and preparation of least complex

operation routines and computer programs for electronic data processing equipment utilizing required and current software, operating systems, and multiprogramming technology; the control and/or implementation/maintenance of highly technical operating systems associated with new generations of computers to function toward optimum utilization of available hardware/software using comprehensive knowledge of the operating system function; the development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN), maintenance of centralized, decentralized and remote network services, network security, data integrity, network performance monitoring, network problems resolution, and user support; does other related duties as required.

In the instant matter, the appellants' positions are properly classified as Technician, Management Information Systems. As noted by Agency Services, according to their PCQs, the appellants indicated that they primarily support system users with troubleshooting support, set up and configured desktop and laptop computers, installed hardware and software updates, and downloaded and installed software. Notwithstanding if the appellants work in a "Tier 1," "Tier 2", or "Tier 3" environment, 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). Moreover, classification determinations are based on the job specifications in the State Classification System, and there is no distinction in the job specification for Information Technology Specialist that requires incumbents to work in what would be characterized as a "Tier 1," "Tier 2," or "Tier 3" environment. In this case, the appellants' positions primarily monitor management information systems and troubleshoot/maintain information processing systems and programs. This is a function consistent with the Technician, Management Information Systems classification.

Although the appellants essentially argue that they perform higher level duties, 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, 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 within a given class, and for overall job specification purposes, the definition portion of the job specification is appropriately utilized. Therefore, the record demonstrates that the

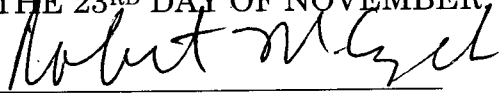
appellants' positions are properly classified as Technician, Management Information Systems.

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 23RD DAY OF NOVEMBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

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

Attachment

c: Vernal Harris
 Joseph Rivera
 Dudley Burdge
 Sharon Pagano
 Kelly Glenn
 Records Center



Chris Christie
Governor
Kim Guadagno
Lt. Governor

STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
AGENCY SERVICES
P. O. Box 313
Trenton, New Jersey 08625-0313

Robert M. Czech
Chair/Chief Executive Officer

September 11, 2015

Mr. Vernal Harris
New Jersey Office of Information Technology
300 Riverview Plaza – PO Box 212
Trenton, New Jersey 08625-0212

**Re: Classification Review – Vernal Harris
AS Log #06150109; EID: 000486983; position #934393**

Dear Mr. Harris:

This is in response to the classification appeal dated June 5, 2015, submitted to this office on your behalf by Chief of Staff Sharon Pagano. This determination is based upon a thorough review and analysis of all information and documentation submitted, including a position classification questionnaire (DPF-44S), organization chart, and your most recent Performance Evaluation System (PES) agreement.

Issue:

You are appealing the current classification of your position Technician, Management Information Systems (62041/A16). You allege that your duties are not appropriately classified and that you are seeking to reclassify your position to Information Technology Specialist (53262/P21).

Organization:

Your position is located in the Administrative Services division of the New Jersey Office of Information Technology, and reports to Ronald Luccarelli, Supervisor Data Processing Technical Support (53084/S29).

Finding of Fact:

The primary responsibilities of this position include, but are not limited to, the following:

- Downloading and installing software
- Supporting system users with troubleshooting support
- Setting up and configuring desktop and laptop computers
- Installing hardware and software updates

Review and Analysis:

You are permanently classified in the title Technician, Management Information Systems (62041/A16). The definition section of the specification for this title states:

Under supervision assigned to a program or operational unit having responsibility for a specific, existing information processing system operation, implements and monitors management information systems used to compile, store, retrieve, and process varied types of financial, program, or other information unique to the unit; operates computers and related equipment controls; analyzes and troubleshoots information processing program or system error conditions; updates and analyzes application software problems; performs system maintenance; or in a client/server environment, provides hardware and software on servers or workstations; does other related duties.

The definition section of the requested title, Information Technology Specialist (53262/P21), states:

Under direct supervision in a state department, agency, data center, institution, or state college, assists in at least one of the following areas: the design and preparation of least complex operation routines and computer programs for electronic data processing equipment utilizing required and current software, operating systems, and multiprogramming technology; the control and/or implementation/maintenance of highly technical operating systems associated with new generations of computers to function toward optimum utilization of available hardware/software using comprehensive knowledge of the operating system function; the development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN), maintenance of centralized, decentralized and remote network services, network security, data integrity, network performance monitoring, network problems resolution, and user support; does other related duties as required.

The majority of your duties focus on simple hardware and software updating and troubleshooting. These duties are not considered out of the range of duties performed by the Technician: Management Information Systems title.

Determination:

Based upon the review and analysis stated above, it has been determined that the assigned duties and responsibilities of this position are commensurate with your current permanent title of Technician, Management Information Systems (62041/A16).

The title is descriptive of the general nature and scope of the functions that may be performed by the incumbent in this position. However, the examples of work are for illustrative purposes and are not intended to restrict or limit performance of the related tasks not specifically listed.

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 that you wish considered should be submitted within the specified timeframe along with a copy of this determination letter. Appeals should be addressed to the Written Records Appeal Unit, Division of Appeals and Regulatory Affairs, NJ Civil Service Commission, P.O. Box 312, Trenton, New Jersey 08625-0312.

Sincerely,


Annemarie Nostrand, Team Leader
Agency Services

AN/JKIII

C: Sharon Pagano, Chief of Staff, OIT



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
AGENCY SERVICES
P. O. Box 313
Trenton, New Jersey 08625-0313

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September 11, 2015

Mr. Joseph Rivera
New Jersey Office of Information Technology
300 Riverview Plaza – PO Box 212
Trenton, New Jersey 08625-0212

**Re: Classification Review – Joseph Rivera
AS Log #06150110; EID: 000336886; position #936650**

Dear Mr. Rivera:

This is in response to the classification appeal dated June 5, 2015, submitted to this office on your behalf by Chief of Staff Sharon Pagano. This determination is based upon a thorough review and analysis of all information and documentation submitted, including a position classification questionnaire (DPF-44S), organization chart, and your most recent Performance Evaluation System (PES) agreement.

Issue:

You are appealing the current classification of your position Technician, Management Information Systems (62041/A16). You allege that your duties are not appropriately classified and that you are seeking to reclassify your position to Information Technology Specialist (53262/P21).

Organization:

Your position is located in the Administrative Services division of the New Jersey Office of Information Technology, and reports to Ronald Luccarelli, Supervisor Data Processing Technical Support (53084/S29).

Finding of Fact:

The primary responsibilities of this position include, but are not limited to, the following:

- Downloading and installing software
- Supporting system users with troubleshooting support
- Setting up and configuring desktop and laptop computers
- Installing hardware and software updates

Review and Analysis:

You are permanently classified in the title Technician, Management Information Systems (62041/A16). The definition section of the specification for this title states:

Under supervision assigned to a program or operational unit having responsibility for a specific, existing information processing system operation, implements and monitors management information systems used to compile, store, retrieve, and process varied types of financial, program, or other information unique to the unit; operates computers and related equipment controls; analyzes and troubleshoots information processing program or system error conditions; updates and analyzes application software problems; performs system maintenance; or in a client/server environment, provides hardware and software on servers or workstations; does other related duties.

The definition section of the requested title, Information Technology Specialist (53262/P21), states:

Under direct supervision in a state department, agency, data center, institution, or state college, assists in at least one of the following areas: the design and preparation of least complex operation routines and computer programs for electronic data processing equipment utilizing required and current software, operating systems, and multiprogramming technology; the control and/or implementation/maintenance of highly technical operating systems associated with new generations of computers to function toward optimum utilization of available hardware/software using comprehensive knowledge of the operating system function; the development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN), maintenance of centralized, decentralized and remote network services, network security, data integrity, network performance monitoring, network problems resolution, and user support; does other related duties as required.

The majority of your duties focus on simple hardware and software updating and troubleshooting. These duties are not considered out of the range of duties performed by the Technician, Management Information Systems title.

Determination:

Based upon the review and analysis stated above, it has been determined that the assigned duties and responsibilities of this position are commensurate with your current permanent title of Technician, Management Information Systems (62041/A16).

The title is descriptive of the general nature and scope of the functions that may be performed by the incumbent in this position. However, the examples of work are for illustrative purposes and are not intended to restrict or limit performance of the related tasks not specifically listed.

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 that you wish considered should be submitted within the specified timeframe along with a copy of this determination letter. Appeals should be addressed to the Written Records Appeal Unit, Division of Appeals and Regulatory Affairs, NJ Civil Service Commission, P.O. Box 312, Trenton, New Jersey 08625-0312.

Sincerely,


Annemarie Nostrand, Team Leader
Agency Services

AN/JKIII

C: Sharon Pagano, Chief of Staff, OIT