

B-56



STATE OF NEW JERSEY

In the Matter of William Montferret,  
Ocean County

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-1449

Classification Appeal

ISSUED: **NOV 3 0 2016** (JET)

William Montferret appeals the attached decision of the Division of Agency Services (Agency Services) that the proper classification of his position with Ocean County is Assistant Supervising Electrician. The appellant seeks a Maintenance Supervisor classification.

The record in the present matter establishes that the appellant is currently serving permanently in the title of Assistant Supervising Electrician. The appellant pursued the matter of the reclassification of his position with Agency Services. Agency Services reviewed all documentation supplied by the appellant, including an organizational chart and a Position Classification Questionnaire (PCQ). It found that the position is located in the Department of Buildings and Grounds, Ocean County. Agency Services noted that the appellant does not have primary supervisory responsibilities. Based on its review of the record, Agency Services concluded that the appellant's position was properly classified as an Assistant Supervising Electrician.

On appeal, the appellant asserts that the determination mischaracterizes the duties that he performs and he contends that it incorrectly indicates that the majority of his duties consist of electrical work. Further, the appellant explains that the initial description of duties he submitted with his request was not sufficient for Agency Services to make a determination. In this regard, the appellant clarifies that his duties include overseeing emergency generators, ensuring that emergency generators are operational, monitoring emergency generators with web-based programs; running generators remotely, maintaining

diesel engines that power emergency generators, running diesel engines in an operational capacity, repairing overhead garage doors and related rails, cables, chains, support structures, and other physical components related to access and egress, and maintaining building structure. In addition, the appellant avers that he supervises and assigns work to contractors. However, the appellant admits that he does not complete employee evaluations. Moreover, the appellant asserts that he performs work similar to an unnamed employee serving as a Maintenance Supervisor in his unit. However, that Maintenance Supervisor does not complete employee evaluations. As such, the appellant maintains that he is performing the duties of a Maintenance Supervisor.

### CONCLUSION

The definition section of the job specification for Maintenance Supervisor states:

Under direction, supervises and coordinates activities of workers engaged in maintaining and repairing the physical structure of buildings and utility systems, and in maintaining buildings and grounds in a clean, orderly condition; does other related duties.

The definition section of the job specification for Supervising Electrician states:

Under direction, supervises and works with a group of electricians engaged in various electrical tasks; does other related duties as required.

The definition section of the job specification for Assistant Supervising Electrician states:

Under direction, assists in supervising and working with a group of electricians engaged in a variety of electrical tasks; does other related duties as required.

In the instant matter, it is clear that the proper classification of the appellant's position is Assistant Supervising Electrician. Indeed, the majority of the duties listed on the appellant's PCQ (over 50%) include emergency generator maintenance, emergency generator monitoring, and assisting a group of Electricians in a variety of electrical tasks. Such duties are consistent with the definition portion of the job specification for Assistant Supervising Electrician. Moreover, the appellant's supervisor indicated in the PCQ that the appellant's duties include overseeing the unit when the Supervising Electrician is not present. Since the appellant's duties do not include supervisory responsibility for the

maintenance and repair of physical building structures, or supervisory responsibility for inspecting and overseeing the work of electricians, Maintenance Supervisor and Supervising Electrician would not be the proper classifications for his position.

Although the appellant argues that his duties are consistent with those performed by a Maintenance Supervisor, 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. In this regard, 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. With regard to the appellant's argument that he performs the same duties as a Maintenance Supervisor in his unit, the appellant does not name that employee or provide any substantive information in support of his claims. Regardless, 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 Carol Maita, Department of Labor* (Commissioner of Personnel, decided March 16, 1995).

Regarding the appellant's argument that he performs supervisory duties, supervisory responsibilities are defined in the appropriate job specifications as supervising work operations and/or functional programs and having responsibility for employee evaluation and for effectively recommending the hiring, firing, promoting, demoting, and/or disciplining of employees. In this case, the appellant admitted on appeal that he does not complete employee evaluations or supervise employees. Therefore, the appellant's position is that of a lead worker as he is responsible for overseeing the work of contractors and filling in for the regular supervisor in his absence. Thus, since he does not conduct performance evaluations for subordinate staff, his position cannot be classified as a Maintenance Supervisor or Supervising Electrician. Moreover, taking the lead is not considered a supervisory responsibility. An incumbent in a leadership role refers to 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 lower level than themselves and perform the same kind of work as that performed by the group being led. *See In the Matter of Catherine Santangelo* (Commissioner of Personnel, decided December 5, 2005).

With respect to the appellant's claim that Agency Services misinterpreted some of the information that he provided, the record indicates that all of his duties and responsibilities were reviewed and the classification determination was based on that information. The purpose of a classification evaluation is to conduct a fact-finding session and the classification reviewer's role is strictly limited to an independent review of the current duties and responsibilities of the position at

issue. Moreover, it is longstanding policy that only those duties and responsibilities assigned at the time of the request for a reclassification are to be considered. Even assuming, *arguendo*, the validity of the appellant's claim, the entire record has once again been thoroughly reviewed in this matter in conjunction with the appellant's appeal and the Commission is satisfied that the classification determination was proper.

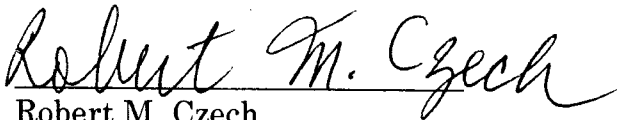
Accordingly, there is no basis to disturb the determination of Agency Services that the appellant's position was properly classified as an Assistant Supervising Electrician.

### ORDER

Therefore, it is ordered that this appeal 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 23<sup>rd</sup> DAY OF NOVEMBER, 2016



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Nicholas F. Angiulo  
Assistant Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

Attachment

c: William Montferret  
Keith J. Goetting  
Kelly Glenn  
Records Center



[ COPY ]

Chris Christie  
Governor  
Kim Guadagno  
Lt. Governor

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

Robert M. Czech  
Chair/Chief Executive Officer

September 17, 2015

Mr. Keith Goetting, Director  
Ocean County Employee Relations  
PO Box 2191  
Toms River, New Jersey 08754

**Subject:** Classification Determination – Mr. William Montferret (000075997); Ocean County Department of Buildings and Grounds; DAS#05150276

Dear Mr. Goetting:

This letter is in response to a request for classification determination initiated by the Mr. William Montferret. Mr. Montferret requested the review of his current title in relation to his current duties and responsibilities by submitting a Position Classification Questions and support documentation to the New Jersey Civil Service Commission (NJCSC). This information was received on May 18, 2015. On August 3, 2015, the Commission initiated the review of the request and realized the employee had not acquired the appropriate organizational signatures. The Appointing Authority has subsequently secured the comments and signatures required, as well as provided a table of organization as requested by the NJCSC.

**Organization:**

Mr. Montferret is currently serving in the Ocean County Department of Buildings and Grounds with a permanent appointment in the title Assistant Supervising Technician (06608). He reports to Mr. Mark Mainenti, Supervising Electrician. The employee does not have primary supervisory responsibilities.

**Findings of Fact:**

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

- Emergency Generator Monitoring – Remotely exercises and monitors emergency generator performance. Identifies performance and maintenance issues.
- Emergency Generator Maintenance – Coordinates, contracts and oversees the maintenance and repair of 39 emergency generators at county facilities. Inspects work for compliance.
- Security System Maintenance – Identifies maintenance issues and oversees installations, repairs and improvements of building access and security systems. Inspects work for compliance.
- Maintenance, Repair and Installation of other Electronic Devices and Systems including, but not limited to, security cameras, garage doors, and emergency generator monitoring units.

**Review and Analysis:**

In 2012, the employee applied for, and passed the Civil Service promotional examination for the title of Maintenance Supervisor (02387). The definition section of the job classification specification for the title of Maintenance Supervisor states:

*Under direction, supervises and coordinates activities of workers engaged in maintaining and repairing the physical structure of buildings and utility systems, and in maintaining buildings and grounds in a clean, orderly condition; does other related duties.*

An employee serving in the title of Maintenance Supervisor is responsible for supervising employees responsible for maintenance and repair to the physical structure and utility systems of buildings. Supervisory responsibilities include the oversight and assignment of work as well as the responsibility of formal employee performance appraisals. Although Mr. Montferret may inspect and oversee the work of maintenance workers, this responsibility does not include the formal appraisal of employee performance. It is equally clear Mr. Montferret is not responsible for the maintenance and repair of physical building structures. Mr. Montferret's assigned duties are more of an electrical systems nature. For these reasons, the current duties of the incumbent are not commensurate with the title of Maintenance Supervisor.

As a result of the documentation submitted, the title of Supervising Electrician (06605) was also considered. The definition section of the job classification specification for the title of Supervising Electrician states:

*Under direction, supervises and works with a group of electricians engaged in various electrical tasks; does other related duties as required.*

An employee serving in the title of Supervising Electrician is responsible for supervising employees and their work in performance of various electrical tasks. Such tasks may include the maintenance and repair of electrical systems such as emergency electric generators; electronic security systems and electronic garage doors. Although Mr. Montferret does inspect and oversee the work of electricians in the repair and maintenance of electronic systems, his role falls short of being the direct supervisor of these employees (e.g. responsible for the formal appraisal of employee performance). For this reason, the current duties of the incumbent are not commensurate with the title of Supervising Electrician.

Mr. Montferret's current title is that of Assistant Supervising Electrician (06608). The definition section of the job classification specification for the title of Assistant Supervising Electrician states:

*Under direction, assists in supervising and working with a group of electricians engaged in a variety of electrical tasks; does other related duties as required.*

An employee serving in the title of Assistant Supervising Electrician is responsible for assisting in the supervision of the work of electricians in various electrical tasks. Mr. Montferret works closely with a team of Electricians and Senior Electricians in the monitoring, maintenance and

repair of electronic systems. In working with the employees of the unit, Mr. Montferret may be called upon to take the lead; direct the work and oversee the completeness and compliance of the employees and contractors. Such work is appropriate in assisting in the supervision of the unit. For this reason, the current duties of the incumbent are commensurate with the title of Assistant Supervising Electrician.

**Determination:**

The review revealed the current duties and responsibilities assigned to Mr. William Montferret are commensurate with the enclosed job specification for the title of Assistant Supervising Electrician (06608). This specification is descriptive of the general nature and scope of the functions which may be performed by an incumbent in this position. Please note, the examples of work are for illustrative purposes and are not intended to restrict or limit the performance of related tasks not specifically listed. The relevance of such specific tasks is determined by an overall evaluation of their relationship to the general classification factors listed in the specification.

As a result, the employee is deemed to be presently and properly classified and appointed to the title of Assistant Supervising Electrician.

According to the New Jersey Administrative Code (N.J.A.C. 4A:3-3.9), either the Appointing Authority or the affected employee may appeal this determination within 20 days of receipt of this notice. This appeal should be addressed to Written Record Appeals Unit, Division of Appeals and Regulatory Affairs, P.O. Box 312, Trenton, New Jersey 086225-0312. Please note the submission of an appeal must include a copy of this determination and any written documentation and/or argument substantiating the portions of the determination being disputed and the basis for appeal.

Sincerely,



Mark B. Van Bruggen  
Supervising HR Consultant

MVB

Enclosure

C: W. Montferret  
File

