

B-21



STATE OF NEW JERSEY

In the Matter of Jack Kaminski,
Department of the Treasury

FINAL ADMINISTRATIVE
ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-160

Classification Appeal

ISSUED: DEC 12 2016 (JET)

Jack Kaminski appeals the attached decision of the Division of Agency Services (Agency Services) that the proper classification of his position with the Department of the Treasury is Building Services Coordinator 1. The appellant seeks a Building Services Coordinator 3 classification.

The record in the present matter establishes that at the time the appellant filed his request for a classification review, he was serving as a Senior Repairer. Agency Services found that the appellant's position is located in the Division of Lottery, Department of the Treasury. The appellant does not have any supervisory duties. The appellant sought a reclassification contending that his position would be more appropriately classified as a Building Services Coordinator 1. In support of his request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties that he performed. Agency Services reviewed all documentation supplied by the appellant including his PCQ. Based on its review of the information provided, including an organizational chart and various statements provided by the appellant, the appellant's supervisor, and the appointing authority, Agency Services concluded that the appellant's position would be properly classified as a Building Services Coordinator 1 (range A16/code 40206) effective June 16, 2016.

On appeal, the appellant asserts, among other things, that he was actually seeking a Building Services Coordinator 3 classification (range 21 / code 40208). In addition, the appellant contends that, while Agency Services' determination found that the proper classification of his position is Building Services Coordinator 1

(range 16 / code 40206), this agency informed his union representative that the numbering of the title series was reversed in February 2016. In this regard, the appellant explains that the Building Services Coordinator 1 title became a range 16 and the Building Services Coordinator 3 title became a range 21. Moreover, the appellant states that, since the numbering change was implemented by this agency during the time his classification review was conducted, the proper classification of his position should be Building Services Coordinator 3, range 21.

In response, Agency Services maintains that the proper classification of the appellant's position is Building Services Coordinator 1. Specifically, Agency Services asserts that the renumbering of the Building Services Coordinator title series was implemented on February 6, 2016 and has no impact on the classification of his position. In this regard, Agency Services states that Building Services Coordinator 3 is a supervisory title and the appellant is not performing supervisory duties. Further, the appellant cannot supervise since it would create an inappropriate reporting relationship with his supervisor. Moreover, Agency Services explains that the appellant has not provided any substantive evidence to show that he is performing the duties of a Building Services Coordinator 3.

CONCLUSION

The definition section of the job specification for Building Service Coordinator 3 states:

Under general direction of a supervisory official in a State department, institution, or agency, supervises and evaluates the activities of the unit and is responsible for the environmental and operational needs (office layouts, alterations, decorating, telephone facilities, telecommunications's requirements, and so forth) for the division or the department at all locations throughout the state; does related work as required.

The definition section of the job specification for Building Services Coordinator 1 states:

Under close supervision of a Building Services Coordinator 3 or other supervisory officer in a State department, division, institution, or agency, performs the work involved in scheduling, coordinating, follow-up, and expediting the alterations, renovations, repairs, and maintenance of office space in the central office buildings and field offices throughout the state; does related work as required.

Mr. Jack Kaminski
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in a particular case for good cause, the Appointing Authority shall either effect the required change in the classification of an employee's position; assign duties and responsibilities commensurate with the employee's current title; or reassign the employee to the duties and responsibilities to which the employee has permanent rights. Any change in the classification of a permanent employee's position, whether promotional, demotional or lateral, shall be effected in accordance with all application rules."

Within 30 days of receipt of this letter, we will implement reclassification procedures to reclassify this position to the title Building Services Coordinator 1 (A16-40206) unless we are advised by the appointing authority that out of title duties and responsibilities not commensurate with your permanent title will be reassigned.

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 Records 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,



Joseph Ridolfi, Team Leader
Agency Services

JR/do

c: Ms. Joanne Pascucci, Treasury Human Resources
PMIS UNIT, CSC



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
AGENCY SERVICES
P. O. Box 314
Trenton, New Jersey 08625-0314

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

June 16, 2016

Mr. Jack Kaminski
Department of the Treasury
Division of State Lottery
1333 Brunswick Avenue
P.O. Box 041
Trenton, New Jersey 08625

**RE: Classification Appeal – Senior Repairer, AS Log# 02160404,
Position# [REDACTED] # [REDACTED],**

Dear Mr. Kaminski:

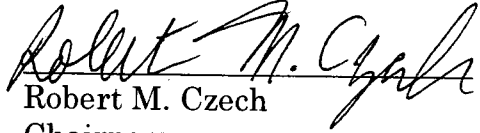
This is in response to the classification appeal dated February 23, 2016 submitted to this office on your behalf by Douglas J. Ianni, Human Resource Officer. The package indicates you are appealing your current title of Senior Repairer (O14 - 41243) and you believe the appropriate classification of your position is Building Services Coordinator 1. Your position is located in the Division of Lottery.

This office has conducted a review of the submitted information, including the Position Classification Questionnaire (DPF-44S); organization chart; your statements; and the statements of your immediate supervisor, Program Manager or Division Director. Based on the written record and the aforementioned parties' comments are in agreement with the stated duties, it is our determination that the appropriate classification of your position is Building Services Coordinator 1 (A16-40206). This action shall be effective March 19, 2016.

This classification determination does not imply that you will meet the eligibility requirements of the title. It is the responsibility of the appointing authority to ensure that an incumbent meets the eligibility requirements prior to any appointment.

The New Jersey Administrative Code 4A:3-3.5(c)1 states that "within 30 days of receipt of the reclassification determination, unless extended by the Commissioner

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 7th DAY OF DECEMBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

c: Jack Kaminski
Douglas J. Ianni
Kelly Glenn

In the instant matter, it is clear that the proper classification of the appellant's position is Building Services Coordinator 1. The definition section of the job specification for Building Services Coordinator 3 requires an incumbent to supervise work activities of lower level Business Services Coordinators. In this regard, 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 indicated on his PCQ that he does not have supervisory duties for subordinate staff. Since the appellant does not conduct formal performance evaluations for subordinate staff, his position cannot be classified as Building Services Coordinator 3. In addition, the organizational chart confirms that the appellant's supervisor's position is classified as a primary level supervisory title. Since the Building Services Coordinator 3 title is also classified as a primary level supervisory title, the appellant's position could not be reclassified as a Building Services Coordinator 3, as it would create an inappropriate reporting relationship with his supervisor. A position classified by a primary level supervisory title cannot report to another position classified by a primary level supervisory title. Further, 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. Moreover, none of the duties listed on the appellant's PCQ reflect that he is performing duties that would warrant a higher level classification of his position.

With respect to the appellant's claim regarding the renumbering of the title series, such information does not change the outcome of this matter. The fact that the titles were renumbered does not establish that the classification of his position is incorrect. Accordingly, there is no basis to disturb the determination of Agency Services that the appellant's position was properly classified as a Building Services Coordinator 1.

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.