

B-10



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Maria Valte,
Department of the Treasury

Classification Appeal

CSC Docket No. 2017-756

ISSUED:

JUN 26 2017

(ABR)

Maria Valte appeals the attached decision of the Division of Agency Services (Agency Services), which found that her position with the Department of the Treasury is properly classified as Program Specialist 3. She seeks a Program Specialist 4 title.

The record in the present matter establishes that at the time of her request for a reclassification of her position, the appellant's permanent title was Program Specialist 3. In February 2016, the appellant requested a classification review of her position located in the Department of the Treasury, Division of Revenue and Enterprise Services, Department of Environmental Protection (DEP) Revenue Recording Unit. Agency Services' August 2016 classification review found that the appellant was responsible for overseeing a unit that processes DEP mail, checks, and billings. Additionally, it found, in relevant part, that she was responsible for overseeing credit card contracts for the State to ensure compliance and proper entry of credits and debits into the New Jersey Financial System; acting as a lead analyst in coordinating updates to the Division of Revenue and Enterprise Services (DORES) website; overseeing the processing of credit card and banking contracts; and providing support to the Motor Vehicle Commission's New Jersey Surcharge Tracking and Accounts Receivable System (NJ STARS). Agency Services noted that the Civil Service Commission (Commission) in *In the Matter of Maria Valte* (CSC, decided June 3, 2015) determined that the title of Program Specialist 3 was the appropriate classification for the appellant's position, effective July 26, 2014. Moreover, Agency Services found that the appellant's current duties remained substantially similar to the ones that she had been assigned to in July 2014, which

had resulted in the Program Specialist 3 classification. Specifically, in the June 2014 Position Classification Questionnaire (PCQ), the appellant indicated that 35% of her time was devoted to contract management duties, namely the management of all contracts related to credit card collections for the State. Similarly, with the February 2016 PCQ involved in this matter, the appellant stated that she spent 35% of her time on contract management duties, including three State credit card contracts, and two banking contracts that had recently been reassigned to her. She noted that one banking contract covered the processing and imaging of paper check deposits, while the other involved an electronic payment system utilized for collecting State taxes and fees. Furthermore, the appellant indicated in both PCQs that she spent the remaining 65% of her time performing substantially the same responsibilities, including supervising the DEP Revenue Recording Unit, providing application support for NJ STARS, and serving as the lead analyst for updates and additions to the DORES website. Accordingly, Agency Services found that the appellant was appropriately classified as a Program Specialist 3.

On appeal to the Commission, the appellant contends that she not only oversees credit card contracts, but also manages and creates electronic payment streams for agencies that request online and point of sale (POS) payments. She maintains that she is responsible for the front-end financial analysis required for the procurement of those systems, which entails meeting with agency directors, agency information technology staff and vendors to discuss the requirements for each system and performing a technical evaluation of each system. She adds that her work on the banking contracts includes serving as administrator of the Commercial Electronic Office portal, which requires her to troubleshoot check deposit discrepancies, manage bank adjustments and facilitate user access to the system. With regard to her supervisory duties, she indicates that she is responsible for ensuring that all licenses and payments handled by the DEP Revenue Recording Unit are processed accurately and in a timely manner, and for disseminating invoices to individuals and DEP programs. The appellant's former supervisor, Donna M. Fleming, Chief of Operations Treasury, submits a letter in support of the appellant's appeal.¹ Specifically, Fleming asserts that upon the appellant's assignment to the DEP Revenue Recording Unit in 2013, the appellant began supervising and her duties and responsibilities changed significantly. Fleming also noted that "within the next six months" the appellant would be "managing and inheriting" several additional banking contracts.

CONCLUSION

The definition section of the job specification for the title of Program Specialist 3 states:

¹ Agency records indicate that Fleming retired from her position as a Chief of Operations Treasury, effective April 30, 2017. It is noted that Fleming was also the appellant's supervisor at the time of her June 2014 PCQ.

Under the general supervision of a Program Specialist 4 or other supervisory officer in a State department, institution or agency, or in a local jurisdiction, may directly supervise professional and/or technical staff engaged in program activities, or performs the more complex and sensitive professional, administrative and analytical work to promote the planning, operation, implementation, monitoring and evaluation of various programs and services administered by the Department of assignment; conducts the research and field work necessary to meet the needs of the appropriate state and/or local public or private agencies; does other related work.

The definition section of the job specification for the title of Program Specialist 4 states:

Under the direction of a supervisory official in a State department or agency, supervises professional and/or technical staff engaged in program activities; performs the most difficult and sensitive professional, administrative and analytical work to promote the planning, operation, implementation, monitoring and/or evaluation of various programs and services administered by the Department of assignment; supervises and conducts the research and field work necessary to meet the needs of the appropriate state and/or local public or private agencies; does other related work.

Based upon a thorough review of the information presented in the record, the appellant's position is appropriately classified as a Program Specialist 3. Duties assigned to a particular position evolve over time based on the relative competencies of the position incumbent but appellants in classification proceedings have the burden to demonstrate that the duties of the position have evolved to an extent warranting reclassification of the position to a higher in-series title. See *In the Matter of Paul Bieksza* (Commissioner of Personnel, decided July 26, 1999). Although the appellant has been assigned to manage two additional banking contracts since her prior classification appeal, there is no indication that her duties have changed substantively enough to warrant a reclassification of her position. Substantive change in job content exists only when one or all of the following classification factors are present:

1. The complexities of the position have changed and a higher level of competence is required to perform the more complex duties.
2. The position is assigned supervisory duties which were not previously assigned.

3. The position has been given significantly greater authority and freedom to act in decision making, and therefore, a greater responsibility in the outcome of these decisions.

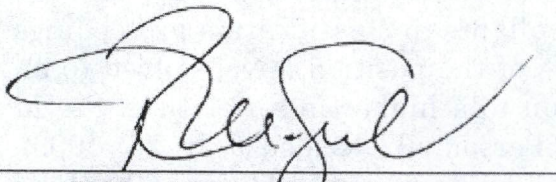
See e.g., In the Matter of Galen Preble (Commissioner of Personnel, decided October 3, 1996). In the instant matter, there is no indication that the banking contract work at issue was significantly more complex than the work involved in overseeing the credit card contracts that had already been assigned to her. In that regard, it is noted that the percentage of time she stated she engaged in contract oversight remained at 35%. Furthermore, her remaining duties are nearly identical to the ones she listed in her June 2014 PCQ and those duties continue to occupy 65% of her time. Moreover, there is no suggestion that her supervisory duties or decision making authority evolved in a manner that would warrant a change in her classification as a Program Specialist 3. Accordingly, the foregoing demonstrates that the appellant's work is consistent with the Program Specialist 3 classification.

ORDER

Therefore, the position of Maria Valte is properly classified as Program Specialist 3.

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 21ST DAY OF JUNE, 2017



Robert M. Czedo, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
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: Maria Valte
Douglas J. Ianni
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

August 9, 2016

Ms. Maria Valte
[REDACTED]

Re: Classification Appeal, Program Specialist 3,
AS Log # 02160407, Position # [REDACTED] EID # [REDACTED]

Dear Ms. Valte:

This is to inform you, and the Department of the Treasury of our determination concerning your classification appeal. This determination is based upon a thorough review and analysis of all information and documentation submitted and a telephone audit conducted with you, and your immediate supervisor, Donna Fleming.

Issue:

You are appealing that your current title of Program Specialist 3 (R26) is not consistent with your current assigned duties and responsibilities. You contend that the title of Program Specialist 4 (S29) is an appropriate title for your position.

Organization:

According to this submission, your position is located in the Division of Revenue and Enterprise Services, Department of Environmental Protection Revenue Recording Unit. You report directly to Donna Fleming, Chief of Operations, Treasury (&32). Your position is responsible for the direct supervision of one (1) Program Technician position.

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Finding of Fact:

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

- Overseeing the Department of Environmental Protection (DEP) Revenue Recording Unit. Planning, organizing, and assigning the work of the organizational unit and evaluating employee performance and conduct.
- Serving as the Contract Manager of the credit card contract for the State. Ensuring that the State processes transactions that meet required Credit Card Payment Card Industry (PCI) standards by migrating existing web based credit card applications to a PCI platform.
- Overseeing the processing of Wells Fargo Banking contracts that includes coordinating money pick-up, maintaining accounts for the DEP Revenue Recording Unit to access the Wells Fargo site, troubleshooting contracts, and performing other duties as needed.
- Serving as the lead for updates and additions to the Division of Revenue and Enterprise Services website. Liaising with staff from the Office of Information Technology and private vendors.
- Serving as a liaison for the Motor Vehicle Commission's STARS system.
- Serving as a liaison with other agencies in assisting with Automated Clearing House, Electronic File Transfer, and E-check payments.

Review and Analysis:

In reviewing your request, various titles were examined in relation to the overall duties being performed by your position to determine the appropriate classification for the tasks described by you and your supervisor.

Your classification appeal submission indicates that you believe the title Program Specialist 4 (64486-S29) is an appropriate title for your position. The definition section for this title states:

"Under the direction of a supervisory official in a State department or agency, supervises professional and/or technical staff engaged in program activities; performs the most difficult and sensitive professional, administrative and analytical work to promote the planning, operation, implementation, monitoring and/or evaluation of various programs and services administered by the Department of assignment; supervises and conducts the research and field work necessary to meet the needs of the appropriate state and/or local public or private agencies; does other related work."

Your position is currently classified by the title, Program Specialist 3 (64485-R26). The definition section of the job specification for this title states:

"Under the general supervision of a Program Specialist 4 or other supervisory officer in a state department, institution or agency, or in a local jurisdiction, may directly supervise professional and/or technical staff engaged in program activities, or performs the more complex and sensitive professional, administrative and analytical work to promote the planning, operation, implementation, monitoring and evaluation of various programs and services administered by the Department of assignment; conducts the research and field work necessary to meet the needs of the appropriate state and/or local public or private agencies; does other related work."

An incumbent of the Program Specialist 3 title supervises or performs the complex and sensitive administrative, analytical, and professional work to promote the planning, operation, implementation, monitoring, and/or evaluation of various programs administered by the Department of assignment; provides guidance and technical assistance regarding program activities to agencies and program clients; and maintains essential records, reports, and files. A review of your position finds that you are responsible for overseeing a unit that processes DEP mail, checks, and billings. In addition, you oversee credit card contracts for the State to ensure that compliance is met and that credits and debits are entered into the New Jersey Financial System; act as a lead in the coordination of updates to the Division of Revenue and Enterprise Services website; overseeing the processing of credit card and banking contracts; providing support to the Motor Vehicle Commission's

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STARS system; and performing a variety of other related duties in your area of assignment. The assigned duties and responsibilities of your position are encompassed within your current title of Program Specialist 3.

Further, the Division of Appeals and Regulatory Affairs on issued a determination on June 8, 2015 (CSC Docket No. 2015-2301) that Program Specialist 3 was the proper classification of your position. A review of your position by way of this classification appeal finds that while a few duties and responsibilities have been added to your position, including the addition of additional banking contracts, the preponderance of assigned duties and responsibilities of the position are fundamentally the same. Therefore, without significant changes to the assigned duties and responsibilities of your position, a change to the classification of your position is unwarranted.

A comprehensive review and analysis of your position finds that the assigned duties and responsibilities of your position are properly classified by the title of Program Specialist 3.

Determination:

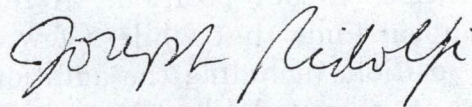
Based upon the findings of fact above, it is my determination that the assigned duties and responsibilities of your position are properly classified by the title Program Specialist 3 (64485-R26).

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

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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 dark ink, appearing to read "Joseph Ridolfi". The signature is fluid and cursive, with the first name "Joseph" and last name "Ridolfi" clearly distinguishable.

Joseph Ridolfi, Team Leader
Agency Services

JR/tc

c: Ms. Laura Budzinski, Treasury Human Resources