

B-23



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Siny Saju,  
Department of the Treasury

CSC Docket No. 2015-2444

Classification Appeal

ISSUED: JUN 19 2015 (RE)

Siny Saju appeals the attached decision of the Division of Agency Services (DAS) which found that her position is properly classified as Technical Assistant 3. She seeks a Technical Assistant 2, Treasury job classification in this proceeding.

Ms. Saju is assigned to work in the Department of the Treasury, Division of Taxation, Administration, LPT Evaluation and Mapping, and she reports to a Chief of Operations Treasury. Her permanent title is Technical Assistant 3, and she does not have any supervisory authority. A classification review was conducted by DAS in response to the appellant's request for an audit of her position, wherein she sought reclassification to Technical Assistant 2, Treasury. This review found that Ms. Saju's assigned duties and responsibilities were commensurate with the title Technical Assistant 3.

On appeal, Ms. Saju reiterates duties that she provided on her Position Classification Questionnaire (PCQ) and at the classification audit. She states that she routinely reviews and verifies data, and determines the completeness and accuracy of information. She states that preparing the monthly activity report for the chief and creating forms and memoranda for the chief, are not duties of a Technical Assistant 3, but of a higher title. She also argues that searching property data on the "NJACTB property record website" is a higher level duty. Ms. Saju states had all of these jobs were performed at times by employees in higher titles.

## CONCLUSION

The definition section of the job specification for Technical Assistant 3 states:

Under supervision of a supervisory official in a State department or agency or a local jurisdiction, performs technical functions in providing information and assistance in reviewing and verifying data of a routine nature; does other related duties.

The definition section of the job specification for Technical Assistant 2, Treasury states:

Under the direction of a Technical Assistant 1, Treasury or other supervisory official in the Department of the Treasury or, in the Lien Section, Office of the Public Defender collects, reviews and verifies data from forms, claims, applicants, returns, assessments, proposals, and error listings, determines the completeness and accuracy of information, benefits, and/or liability reported or calculated; makes routine eligibility, award, and liability determinations and calculations; does related work.

Based upon a thorough review of the information presented in the record, it is clear that the appellant's position is properly classified as Technical Assistant 3. In this regard, Ms. Saju's duties do not have as the primary focus the duties listed in the definition section of the job specification for Technical Assistant 2, Treasury. Titles are categorized as professional, para-professional or non-professional. *N.J.A.C.* 4A:4-2.5(a)2 states that para-professional titles require at least 60 general college credits or 12 or more specific college credits, with or without a clause to substitute experience. Thus, since the Technical Assistant 2, Treasury title requires completion of 60 college credits with a substitution clause, which permits additional experience in lieu of the college credits, as well as one year of relevant experience, it is considered a para-professional title. Conversely, *N.J.A.C.* 4A:4-2.5(a)3 states that non-professional titles require less than 60 general college credits or less than 12 specific college credits. As such, the Technical Assistant 3 title is considered a non-professional title since it does not require completion of any college credits.

A review of the job specifications for both titles reveals that, while very similar, the Technical Assistant 2, Treasury title performs technical work as well as para-professional duties. This title may be responsible for examining documents to collect, review and verify data; assisting in the supervision of subordinate clerical employees; verifying computations for completeness and accuracy; calculating and authorizing payments; obtaining documents to make determinations; monitoring internal controls; reviewing account status; and monitoring payments. The

Technical Assistant 3 performs routine technical functions, responds to less complicated inquiries, performs research for various projects or to supply information, communicates with others to carry out the objectives of the office, verifies completeness of information, updates a tracking system, processes forms, and deals with inquiries and provides assistance.

The question herein is whether Ms. Saju's duties rise to the level of those of a Technical Assistant 2, Treasury. It is long-standing policy that upon review of a request for position classification, when it is found that the majority of an incumbent's duties and responsibilities correspond to the examples of work found in a particular job specification, that title is deemed the appropriate title for the position. Also, it is not uncommon for an employee to perform some duties which are above or below the level of work normally performed. Classification determinations are based on the *primary functions* assigned to the position. 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).

A review of the duties of the appellant's PCQ indicates that most of the tasks listed are routine technical functions. No higher level analysis of facts or application of technical knowledge is required to complete the majority of these tasks. The appellant does not routinely make eligibility, award or liability determinations and calculations. While the wording of the job specifications of the two titles may be similar, the tasks completed by the Technical Assistant 2, Treasury include application of technical knowledge in order to make routine determinations based on the data which is gathered and reviewed. The appellant collects, reviews and verifies data, but she does so in the context of completing information in a data base or correcting errors, *i.e.*, for recording purposes. There is little evidence that the primary focus of the position is to do so in order to make determinations. The appellant finds errors and makes corrections regarding property information, and searching property data to correct errors is not above clerical duties. The appellant's primary functions are consistent with the Technical Assistant 3 title.

The appellant also argues that some of her duties were performed at times by employees in the higher titles. In that regard, 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); *In the Matter of Dennis Stover, Middletown Township* (Commissioner of Personnel, decided March 28, 1996). See also, *In the Matter of Lorraine Davis, Office of the Public Defender* (Commissioner of Personnel, decided February 20, 1997), *affirmed*, Docket No. A-5011-96T1 (App. Div. October 3, 1998).

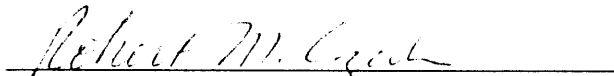
Accordingly, a thorough review of the entire record fails to establish that appellant has presented a sufficient basis to warrant a Technical Assistant 2, Treasury classification of her position.

ORDER

Therefore, the position of Siny Saju is properly classified as Technical Assistant 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 17<sup>th</sup> DAY OF JUNE, 2015

  
Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

Enclosure

- c. Siny Saju
- Douglas Ianni
- Kenneth Connolly
- Joseph Gambino



STATE OF NEW JERSEY  
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Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

January 23, 2015

Ms. Siny Saju  
Department of the Treasury  
Division of Taxation  
50 Barrack Street  
P.O. Box 251  
Trenton, New Jersey 08695-0251

**RE: Classification Appeal, Technical Assistant 3, AS Log # 09140359,  
Position # 068855, EID # 000667052**

Dear Ms. Saju:

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.

**Issue:**

You are appealing that your current permanent title of Technical Assistant 3 (A12) is not consistent with your current assigned duties and responsibilities. You contend that a title of Technical Assistant 2, Treasury (A15) is an appropriate title for your position.

**Organization:**

Your position is located in the Division of Taxation and you report directly to Judy Miller, Chief of Operations Treasury (M32). You do not possess supervisory responsibility.

**Finding of Fact:**

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

- Fielding inquiries from taxpayers, business assessors, county tax administrators and other government tax officials. Assisting in property tax related matters and referring them to appropriate staff when further assistance is required.
- Performing data entry on the Inheritance Appraisal spreadsheet to assist the Inheritance Tax Branch.
- Ensuring that data is reviewed, verified and recorded. Communicating with field personnel regarding status of appraisal and completion dates.
- Collecting individual Unit Reports and proofing data received. Compiling the monthly activity report for the valuation and mapping section Chief.
- Determining that the links for the Property Administration Online Assessor Handbook are working correctly and notifying staff if there are discrepancies.

### **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 position is currently classified by the title, Technical Assistant 3 (A12-51329). The definition section of the job specification for this title states:

“Under supervision of a supervisory official in a state department or agency or a local jurisdiction, performs technical functions in providing information and assistance in reviewing and verifying data of a routine nature; does other related duties.”

The definition section of the job specification for the title Technical Assistant 2, Treasury (A15-51633) states:

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“Under the direction of a Technical Assistant 1, Treasury or other supervisory official in the Department of the Treasury, or, in the Lien Section, Office of the Public Defender collects, reviews and verifies data from forms, claims, applicants, returns, assessments, proposals, and error listings, determines the completeness and accuracy of information, benefits, and/or liability reported or calculated; makes routine eligibility, award, and liability determinations and calculations; does related work.”

A Technical Assistant 2, Treasury reviews and verifies data and makes routine eligibility, award, and liability determinations and calculations.

A review of your assigned job duties and responsibilities finds that the main function of your position is to assist and direct taxpayer calls to the appropriate unit staff, record and accurately enter data including appraisal values, and compile unit activity reports. After a careful review of the information provided, the duties and responsibilities that you perform are inconsistent with those associated with the title, Technical Assistant 2, Treasury.

The preponderance of assigned duties and responsibilities of this position are significantly descriptive of tasks assigned to the title, Technical Assistant 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 Technical Assistant 3 (A12-51329).

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 cursive script that reads "Joseph Ridolfi".

Joseph Ridolfi, Team Leader  
Agency Services

JR/do

c: Ms. Laura Budzinski, Treasury Human Resources