

B-24



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Melody Tambussi,
Department of Environmental
Protection

Classification Appeal

CSC Docket No. 2015-941

ISSUED: JUN 19 2015

(RE)

Melody Tambussi appeals the attached decision of the Division of Classification and Personnel Management (CPM)¹ which found that her position with the Department of the Environmental Protection is properly classified as Senior Clerk Transcriber. She seeks a Technical Assistant 3 job classification in this proceeding.

Ms. Tambussi received an appointment as a Senior Clerk Transcriber on September 20, 2012. Subsequently, the appellant requested a classification review. CPM conducted a review of Ms. Tambussi's position including a review of her position classification questionnaire (PCQ), and a telephone audit, and determined that Ms. Tambussi's position was properly classified as Senior Clerk Transcriber. Her position is assigned to the Department of Environmental Protection, Water Resource Management, Division of Water Quality, Municipal Finance Construction Element, Office of the Assistant Director, is supervised by a Section Chief, Environmental Protection, and has no supervisory responsibility. Her assigned unit provides technical and environmental guidance to assist project sponsors seeking financing for projects concerning water, provides contract administration support functions such as preparing project approvals/certifications and fiscal-related administrative matters, and provides information and program support of financing programs and initiatives. It is noted that in May 2015, the appellant received a provisional appointment to the title Secretarial Assistant 3 Non-Stenographic, a title in a higher class code than the requested title.

¹ Now the Division of Agency Services.

On appeal, Ms. Tambussi explains her history of appointments to clerical titles and claims that she's been performing out-of-title work. This work includes reviewing and processing all payments to financial assistance recipients and administrative-related responsibilities. She states that she evaluates and reviews periodic payment requests from loan and grant recipients; provides financial and accounting assistance; organizes, composes and carries out word processing production of all payment requisition packages, loan and funding reports, correspondence, memoranda, and statistics; collects and prepares letters and sends packages to programs; and provides assistance to Bureau Engineers. In addition, she states that she types and mails out letters; maintains reports and files; prepares monthly and quarterly reports, and other documents; maintains a project assignment list; processes performance evaluation forms; records all backup loan packages sent for review; and provides backup for the Bureau Secretary in her absence. In support of this appeal, her supervisor states that she performs duties and responsibilities of a higher title.

CONCLUSION

The definition section of the job specification for Senior Clerk Transcriber states:

Under general supervision of a Principal Clerk Transcriber or other supervisory official, transcribes dictation from recording equipment and/or takes the lead in a very small transcribing clerical unit; does other related duties as required.

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.

A Senior Clerk Transcriber classification is used to classify those positions where the incumbent is required to perform clerical work involving the exercise of independent judgment and containing a relatively large proportion of difficult tasks. Senior Clerk Transcribers perform such duties as reviewing, checking, and certifying reports, applications, and other documents for corrections; checking and verifying bills, vouchers, and statements; and receiving and checking applications. An incumbent Technical Assistant 3 performs technical tasks of a routine nature, reviews and verifies data as submitted on forms or applications, follows up with an applicant or caseworker to obtain missing data, and enters data into database or tracking systems. In addition, an incumbent Technical Assistant 3 responds to less

complicated inquiries and requests for assistance, screens and refers cases that involve technical issues to a higher authority for disposition, assists in the preparation of requests for appropriate actions, performs research, and verifies accuracy and completeness of information before entry into automated systems and files.

It should be noted that 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). Similarly, the appellant's employment history is not relevant to the classification of the position. Also, a recommendation by a supervisor to promote the appellant or change her classification does not establish that the position she encumbers would be properly classified in the recommended title.

On her PCQ, the appellant indicated that for 45% of the time, she provides support by organizing, composing and carrying out word processing production of reports and other documents; coordinating materials and projects for staff by preparing, distributing, editing, formatting and proofreading documents; researching projects; maintaining records, files, spreadsheets and databases; reviewing data for accuracy; determining efficient data processing and other procedures; verifying and entering information; and reviewing calculations. Another 30% of her time is spent transcribing information and finalizing reports; electronically transmitting loans; responding to general comments and forwarding project-specific inquiries to engineers; resubmitting loans; typing, correcting and recording documents; maintaining spreadsheets; and processing documents. Her third task, performed 10% of the time, involves tracking leave time, keeping schedules, processing sign-in sheets, tracking timeliness of work, scheduling, handling phone calls, and logging and distributing mail. For 5% of the time, the appellant assists in the absence of secretarial staff with phone coverage, for 5% of the time the appellant orders materials, equipment and supplies, and for 5% of the time she uses computerized informational systems and databases.

A review of these tasks indicates that some of the work is reviewing, checking, and certifying data or documents for corrections and completeness, data entry, and collecting and distributing information or documents. However, 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, as it is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed. Transcribing information and finalizing reports, tracking leave time, keeping schedules and spreadsheets, placing orders and answering phones are all duties of a Senior Clerk Transcriber. The first duty listed by the appellant is a mix of clerical

and technical duties. However, it is clear that the duties of Ms. Tambussi's position do not match, *as a primary focus*, the definition for Technical Assistant 3.

The main difference between these two jobs specifications is that 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. While the appellant performs some of these functions, she does so at the level of verification, tracking, distribution, and data entry. The incumbent is not required to make decisions and has no authority. She is required to change information provided to her in backup information and reviews numbers for correctness. The job specification for Technical Assistant 3 refers to "research" to supply information. "Research" means an investigation in order to discover or interpret facts, or to revise accepted laws or theories. The information the appellant searches for and disseminates is not at the technical level. While she may respond to inquiries, those inquiries are for data or information. An example of response to a less complicated technical inquiry might be to determine and provide an applicable rule regarding a relatively simple situation. This response requires a higher level of reasoning than to search and find numerical data, such as a project number or information in backup documents. The appellant's work involves the accurate processing of information necessary to further the goals of the unit, maintaining tracking and filing systems, and providing accurate and complete information to users. In addition, she is required to perform transcription. The definition of the title Senior Clerk Transcriber describes the majority of the duties of this position.

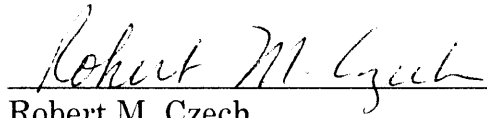
Accordingly, a thorough review of the entire record fails to establish that the appellant has presented a sufficient basis to warrant a Technical Assistant 3 classification of her position.

ORDER

Therefore, the position of Melody Tambussi is properly classified as Senior Clerk Transcriber.

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 17th DAY OF JUNE, 2015



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Chairperson
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and
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Enclosure

c: Melody Tambussi
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ROBERT M. CZECH
Chair/Chief Executive Officer

September 2, 2014

Ms. Melody R. Tambussi
New Jersey Department of Environmental Protection
Division of Water Quality
Municipal Finance Construction Element
401 East State Street
PO Box 420 Mail Code 401-03
Trenton, New Jersey 08625-0420

Re: Classification Appeal
Senior Clerk Transcriber
Position #096133
CPM #09130347
Employee ID #000504792

Dear Ms. Tambussi:

This is to inform you, and the Department of Environmental Protection, of our determination concerning the classification appeal referenced above. Our review involved a detailed analysis of the Position Classification Questionnaire (DPF-44S); organization chart; your Performance Assessment Review (PAR); your statements; the statements of your supervisor, Division Director, and appointing authority; and a desk audit that was conducted March 25, 2014.

Issue:

You requested that your position be audited to determine if you are performing out-of-title work for your title of Senior Clerk Transcriber. You believe that your increased duties and responsibilities are more appropriate to the Technical Assistant 3 title. The Bureau of Human Resources Operations agreed that an audit should be conducted in order to determine the appropriate classification of your position.

Organization:

The position is located in the Department of Environmental Protection, Water Resource Management, Division of Water Quality, Municipal Finance Construction Element, Office of the Assistant Director. You are supervised by Scott Shymon, Section Chief, Environmental Protection (S30) and you have no supervisory responsibility.

Findings of Fact:

The position performs the following duties and responsibilities:

- Evaluates and reviews periodic payment requests submitted by loan and grant recipients.
- Organizes and composes technical reports, loan and funding report correspondence, and statistics.
- Organizes payment requisition packages.
- Coordinates materials or special projects for staff members.
- Verifies and researches missing and/or incorrect information.
- Maintains records and data utilizing appropriate data bases and spreadsheets.
- Develops spreadsheets and tracking systems for assigned projects.
- Review the Bureau's loan payment procedures and implements changes to more effectively process and record loan payments.
- Transcribes and finalizes confidential notes and monthly reports to electronic formats.
- Responds to general questions concerning proposed changes to loans and forwards project specific inquiries to the appropriate engineer.
- Resubmits loans when changes are made and types and records final loan decreases, 30-day final payment letters, and project certifications.
- Improves, maintains, and updates the Project Assignment List spreadsheet.

- Transcribes dictation to final copy and finalizes draft documents.
- Maintains the work schedule of all Bureau employees.
- Establishes office clerical procedures to accommodate the work produced by the Section.
- Schedules appointments, conferences, and meetings and maintains the calendar for the office supervisor and staff as requested.
- Responds to telephone calls for the Bureau providing callers appropriate information or referral.
- Coordinates mass mailings for the Element and other Bureaus requiring assistance.
- Processes Performance Assessment Reviews for the Section.
- Orders and maintains an inventory of all office supplies and equipment.

Review and Analysis:

The duties and responsibilities of the position were compared to those described within the class specification for Senior Clerk Transcriber and Technical Assistant 3.

The definition section of the specification for the title, Senior Clerk Transcriber (A09, 23333), states:

“Under general supervision of a Principal Clerk Transcriber or other supervisory official, transcribes dictation from recording equipment and/or takes the lead in a very small transcribing clerical unit; does related work as required.”

A Senior Clerk Transcriber transcribes dictation which contains more difficult terminology and includes typing of difficult material which is not standardized as to format, so decisions have to be made frequently. Incumbents in this title regularly and frequently use independent judgment in composing or adapting correspondence. A Senior Clerk Transcriber types stock letters and independently makes changes to fit various situations and does moderately complex work.

The definition section of the specification for the title, Technical Assistant 3 (A12, 51329), 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.”

A Technical Assistant 3 responds to inquiries and provides technical information/assistance pertaining to the unit. An incumbent in this title performs research and/or receives guidance from technical personnel to supply requested information. A Technical Assistant 3 confers with individuals to obtain information and/or supporting documentation. Incumbents in this title verify completeness and accuracy of information before entry into the appropriate system. Individuals in technical titles are expected to perform work which requires a combination of scientific and manual skills obtained through specialized training.

Your position requires the use of a manual typewriter to complete some of the documentation required by municipalities. Your position answers and directs phone calls for the Section. Your position receives, sorts, logs, and routes correspondence and other documents for the Section. Your position transcribes dictation containing detailed technical terminology. Your position reviews and verifies loan application information provided by the project manager, using the appropriate backup material, to ensure all information required on the loan request is provided and correct. When discrepancies are found, your position resolves the discrepancy with the appropriate staff member and through backup supporting documents. Your position prepares payment requisition documents and loan decrease letters to the requestor using a template on the amount of funds to be provided based upon information received from the respective project manager. Your position maintains a status log utilizing Excel and MS Word of all projects within the Bureau and those sent to the NJ Environmental Infrastructure Trust for action. Your position prepares the appropriate letters pertaining to interim loans and grants and processes and verifies all amounts received on loan payments. Taking the aforementioned tasks into consideration, and the fact that the duties performed are primarily clerical in nature, the breadth and depth of your position within the section aligns with the professional expectations of the Senior Clerk Transcriber title.

Determination:

By copy of this letter, the Appointing Authority is advised that your position is properly classified as Senior Clerk Transcriber (A09, 23333).

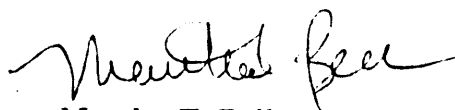
Name: Melody Tambussi
Date: September 2, 2014

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

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. The appeal should be addressed to the 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,



Martha T. Bell
Human Resource Consultant 5
Classification and Personnel Management

MTB/rej
C: Robin Liebeskind
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CPM #09130347