



B-48


STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Gale Vincent,  
Department of Environmental  
Protection

Classification Appeal

CSC Docket No. 2015-1027

ISSUED:  20 2015 (BS)

Gale Vincent appeals the attached determination of the Division of Classification and Personnel Management (CPM)<sup>1</sup> that her position with the Department of Environmental Protection is properly classified as an Agency Services Representative 3. The appellant seeks an Agency Services Representative 4 classification in this proceeding.

The record in the present matter establishes that at the time the appellant requested a classification review, she was serving as an Agency Services Representative 3 with Compliance and Enforcement, Division of Air and Hazardous Material Enforcement, Bureau of Hazardous Waste and UST Compliance and Enforcement, Manifest Unit, Department of Environmental Protection. She reports to Bret Reburn, Environmental Specialist 3. The appellant does not supervise subordinate staff. The appellant sought a reclassification of her position, contending that she was performing the duties of an Agency Services Representative 4. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties she performed as an Agency Services Representative 3. CPM reviewed and analyzed the PCQ completed by the appellant and documentation submitted by the appointing authority, including Performance Assessment Reviews and an organizational chart, and performed an on-site audit. In its decision, CPM determined that the appellant's position was properly classified as an Agency Services Representative 3.

<sup>1</sup> The Division of Classification and Personnel Management is now the Division of Agency Services.

On appeal, the appellant contends that her position should be classified as an Agency Services Representative 4. She asserts that CPM's determination is incorrect and that her day-to-day and weekly functions are now and have been beyond the scope of an Agency Services Representative 3 in that other staff members often go to her for guidance and assistance and that she is required to assist other members of the Bureau. The appellant argues that she has been performing "several new complex and technical duties" since April 2011 and that these duties are at the level of an Agency Services Representative 4.

### CONCLUSION

The definition section of the job specification for Agency Services Representative 3 states:

Under the general supervision of a supervisory official in a State department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides specialized information to customers regarding department/agency programs and services; handles the more complex and/or sensitive customer issues, requests and complaints; does other related work as required.

The definition section of the job specification for Agency Services Representative 4 states:

Under direction of a supervisory official in a State department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing, and issuance of agency documents; provides varied information to customers regarding department/agency programs and services; handles the most complex and sensitive customer issues, requests, and complaints; functions in a lead worker capacity; does other related work as required.

Based on the information presented in the record, it is clear that the appellant's position is properly classified as an Agency Services Representative 3. With regard to the Agency Services Representative 4 title the appellant seeks, the Civil Service Commission (Commission) notes that the Agency Services Representative 4 is not only expected to handle the most complex customer issues but also must function as a lead worker. The appellant does not function in the capacity of a lead worker and this is clearly indicated on the Bureau of Hazardous Waste and UST Compliance and Enforcement, Manifest Unit's organizational chart. This factor alone renders the appellant's arguments untenable. In this regard, an incumbent functioning in a lead worker 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). The appellant clearly does not serve in that capacity.

The Commission notes that it is not uncommon for an employee to occasionally perform some duties which are above or below the level of work which is ordinarily performed without such duties becoming the primary focus of the position. The Commission finds that the preponderance of duties described by the appellant clearly fall under the Agency Services Representative 3 title. Accordingly, since it is clear that the appellant is assigned work consistent with an Agency Services Representative 3 title, she has failed to establish a sufficient basis to warrant an Agency Services Representative 4 classification of her position.

### ORDER

Therefore, the position of Gale Vincent is properly classified as an Agency Services Representative 3.

This is the final administrative action in the matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 15TH DAY OF JULY, 2015



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Attachment

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