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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Tiffani Salter, Civil
Service Commission

CSC Docket No. 2015-3063

Classification Appeal

ISSUED: ~~AUG 20~~ 2015 (LDH)

Tiffani Salter appeals the attached decision of the Division of Agency Services (DAS) that the proper classification of her position with the Civil Service Commission is Human Resource Consultant 2. Salter seeks a Human Resource Consultant 3 classification.

The record in the present matter establishes that Salter is currently serving provisionally, pending open-competitive examination procedures, in the title of Personnel Assistant 1 with the Department of Law and Public Safety, effective May 16, 2015. This appeal pertains to the potential differential pay the appellant would receive from December 8, 2014 when her request for an audit was submitted to the Office of Human Resources, to May 16, 2015 when she was provisionally appointed to the title of Personnel Assistant 1. At the time of the request, Salter's position was located in DAS, Civil Service Commission (Commission). Salter pursued the matter of her classification with DAS. She was asked to complete a Position Classification Questionnaire (PCQ)¹ and all documentation supplied by her supervisor and Salter, including her most recent performance evaluation (PAR), was reviewed. DAS found that the duties and responsibilities of Salter's position entailed conducting organization, classification surveys and position audits in assigned jurisdictions; performing personnel work of the assigned unit; resolving

¹ She indicated on her PCQ general supervision and that 15% of her time is spent performing complex technical work and analysis for personnel transactions and 5% of her time is spent reviewing and processing complex large scale organizational transfers.

problems requiring review; and answering inquiries from all sources regarding the interpretation of Commission rules and regulations. On the PCQ, the appointing authority disagreed with the proposed title because she had not been performing complex work nor mentored lower level Human Resource Consultants. Based on the foregoing, DAS determined that the duties performed by Salter were consistent with the definition and examples of work included in the job specification for Human Resource Consultant 2.

On appeal to the Commission, Salter argues that the title of Human Resource Consultant 3 is more appropriate. She contends that DAS did not accurately and completely detail all of her duties. Salter argues that she was assigned work with high levels of complexity as the jurisdictions she was assigned were the Newark City School District, Passaic County, the Passaic Valley Water Commission, and the Passaic County Board of Social Services. She states that those jurisdictions required a more in-depth analysis of the issues. Salter contends that DAS inappropriately attributed supervisory duties that are not required of an individual in the title of the Human Resource Consultant 3 title in order to deny her request for the subject title. Nonetheless, she states that she provides guidance and leadership to lower level staff and handled salary work in her supervisor's absence. Lastly, Salter believes that there was a conflict of interest in having DAS conduct the audit of her position.

CONCLUSION

The definition section of the job specification for Human Resource Consultant 2 states:

Under limited supervision of a supervisory officer, conducts organization, classification and compensation surveys, and position audits in various assigned jurisdictions, departments and agencies; provides personnel management guidance to state/local jurisdictions; performs personnel work involving selection procedures, personnel information systems, staff and organizational development, workforce planning, equal employment opportunity, employment counseling, and application of rules and regulations; does other related duties as required.

The definition section of the job specification for Human Resource Consultant 3 states:

Under general supervision of a supervisory officer, conducts complex organization, classification and compensation surveys, and position audits in various assigned jurisdictions, departments and agencies; provides personnel management guidance to state/local jurisdictions;

performs complex personnel work involving selection procedures, personnel information systems, staff and organizational development, workforce planning, equal employment opportunity, employment counseling, and application of rules and regulations.

Based upon a thorough review of the information presented in the record, it is clear that Salter's position as depicted at the time of the classification review was properly classified as Human Resource Consultant 2. In this regard, it is noted that all levels in the title series are expected to perform the breadth of duties for assigned jurisdictions. The difference in the levels between Human Resource Consultant 2 and Human Resource Consultant 3 is denoted by the level of expertise required by the incumbent, which is objectively delineated by the level of supervision required and the complexity of work that can be accomplished when working independently, taking initiatives, and making judgments in the planning and execution of assignments.

Though Salter performs her duties under general supervision, she has not shown that she performs complex work of an independent nature for the majority of her time. On her PCQ, the appointing authority stated that she had not been assigned complex work nor had she been assigned administration of complex layoffs. Moreover, there was no indication in the record that she performed complex work for a majority of her time. In this regard, on her PCQ Salter stated that 15% of her time was spent performing complex technical work and analysis for personnel transactions and 5% of her time was spent reviewing and processing complex large scale organizational transfers. Thus, while she indicates on appeal that some of her duties were complex, it is clear that this was not the primary focus of her position. In this regard, classification determinations are made based on those duties which are considered to be the primary focus of a position that are performed on a regular, recurring basis. In order to be considered the primary focus of a position, such duties would have to be performed more than 50% of the time. *See In the Matter of Lawrence Craig and Louis Muzyka* (CSC, decided February 11, 2009) (Commission determined that Police Sergeants who were serving in an acting capacity of Police Lieutenant less than 50% of the time should not be reclassified as Police Lieutenants).

Lastly, upon independent review, the Commission finds no substance to the appellant's allegation that there was, in fact, a conflict of interest. A classification review addresses a specific incumbent and her job duties. Though Salter worked for DAS, she has shown no evidence of impropriety on the part of DAS. Additionally, there is no substantive evidence indicating that the classification reviewer's decision in this case was biased or influenced in any way, and Salter has now had the benefit of an independent review by the Commission. A thorough review of the information presented in the record establishes that Salter's position was properly classified as Human Resource Consultant 2 at the time of the audit, and she has not

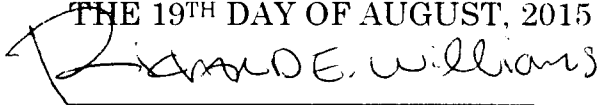
presented a sufficient basis to establish that her prior position warranted a Human Resource Consultant 3 classification.

ORDER

Therefore, the Civil Service Commission concludes that the proper classification of Tiffani Salter's position is Human Resource Consultant 2.

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 19TH DAY OF AUGUST, 2015



Richard E. Williams
Member
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
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Civil Service Commission
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Attachment

c: Tiffani Salter
Ann McClaskey
Kenneth Connolly
Joseph Gambino



Chris Christie
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Kim Guadagno
Lt. Governor

STATE OF NEW JERSEY
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Robert M. Czech
Chair/Chief Executive Officer

April 29, 2015

Ms. Tiffani Salter
New Jersey Civil Service Commission
44 South Clinton Avenue
Trenton, NJ 08625

Subject: Classification Determination – Tiffani Salter (000493725); New Jersey Civil Service Commission; Division of Agency Services; CPM Log #Number

Dear Ms. Salter:

This is in response to the classification appeal received December 15, 2014, submitted to this office on your behalf by Ms. Ann McClaskey, Manager HR. The package indicates you are appealing your current permanent title of Human Resource Consultant 2 (40446/Y22) and you believe the appropriate classification of your position is Human Resource Consultant 3 (40447/Y25).

This office has conducted a thorough review of the information received. This information included the State Position Classification Questionnaire you prepared and signed; a recent performance evaluation (PAR); statements made by you during a formal audit meeting; statements from your immediate supervisor Joe Ridolfi, Human Resource Consultant 5; and a Table of Organization provided by the Appointing Authority.

Organization:

Your position is located in the New Jersey Civil Service Commission; Division of Agency Services; (Trenton, NJ). Your immediate supervisor is Mr. Joe Ridolfi, Human Resource Consultant 5. The position does not involve the direct supervision of other employees.

Findings of Fact:

The primary responsibility of the position includes conducting organization and classification surveys and position audits in assigned jurisdictions, departments and agencies. Other duties and responsibilities include, but are not limited to:

- Performing personnel work of the assigned unit and resolving problems requiring review/analysis
- Answering inquiries from all sources regarding interpretation/application of Civil Service Commission rules and regulations as well as division and unit policies

Review and Analysis:

The requested title of your position is that of Human Resource Consultant 3 (40447/Y25). According to the classification specification, Human Resource Consultant 3 is defined as follows:

Under general supervision of a supervisory officer, conducts complex organization, classification and compensation surveys, and position audits in various assigned jurisdictions, departments and agencies; provides personnel management guidance to state/local jurisdictions; performs complex personnel work involving selection procedures, personnel information systems, staff and organizational development, workforce planning, equal employment opportunity, employment counseling, and application of rules and regulations; may function as a lead worker; provides guidance and leadership on personnel matters to lower level professional staff; does other related duties as required.

An employee serving in the title of Human Resource Consultant 3 is responsible for reviewing and analyzing complex administrative, layoff, classification, and salary appeals and prepares written reports and recommendations for supervisory review; provides guidance and leadership on personnel matters to professional staff, reviews work performed by staff and performs such functions as writing monthly reports or directing a program/project within the unit. The duties of your position do not encompass these duties and responsibilities. For these reasons, Human Resource Consultant 3 is not commensurate to the duties of your position.

Your current title is that of Human Resource Consultant 2 (40446/Y22). According to the classification specification, Human Resource Consultant 2 is defined as follows:

Under limited supervision of a supervisory officer, conducts routine organization, classification and compensation surveys, and position audits in various assigned jurisdictions, departments and agencies; provides personnel management guidance to state/local jurisdictions; performs personnel work involving selection procedures, personnel information systems, staff and organizational development, workforce planning, equal employment opportunity, employment counseling, and application of rules and regulations; does other related duties as assigned.

An employee serving in the title of Human Resource Consultant 2 is responsible for conducting position audits to determine appropriate position classification, perform personnel work of the assigned unit and resolves problems requiring review/analysis, and answers inquiries from all sources regarding interpretation/application of Civil Service Commission rules regulations as well as division/unit policies. The duties of your position encompass these duties and responsibilities. For these reasons, Human Resource Consultant 2 is commensurate to the duties of your position.

Determination:

The review has revealed the current duties and responsibilities assigned are commensurate with the enclosed job specification for the title of Human Resource Consultant 2 (40446/Y22). This specification is descriptive of the general nature and scope of the functions which may be performed by an incumbent in this position. Please note the examples of work are for illustrative purposes and are not intended to restrict or limit the performance of related tasks not specifically listed. The relevance of such specific tasks is determined by an overall evaluation of their relationship to the general classification factors listed in the specification.

Therefore, you are presently and properly classified in the title of Human Resource Consultant 2 (40446/Y22).

According to the New Jersey Administrative Code (*N.J.A.C.* 4A:3-3.9), the affected employee or an authorized employee representative may appeal this determination within 20 days of receipt of this notice. This appeal should be addressed to Written Record Appeals Unit, Division of Appeals and Regulatory Affairs, P.O. Box 312, Trenton, New Jersey 086225-0312. Please note the submission of an appeal must include written documentation and/or argument substantiating the portions of the determination being disputed and the basis for appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'John D. Teubner', written over a horizontal line.

John D. Teubner
Deputy Division Director

Enclosure

JT

Cc: Ann McClaskey, Appointing Authority
File

