

B-11



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Division of Appeals and Regulatory Affairs
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312
Phone (609) 292-9559 Fax (609) 984-0442

Robert M. Czech
Chair/Chief Executive Officer

Chris Christie
Governor
Kim Guadagno
Lt. Governor

August 3, 2017

Michele A. Shapiro
Department of Transportation
P.O. Box 600
Trenton, NJ 08625-0600

Re: *In the Matter of the Title Examiner title series, Department of Transportation*
(CSC decided, July 26, 2017)

Dear Ms. Shapiro:

Enclosed is a corrected copy of the Civil Service Commission's July 26, 2017 decision indicated above. The decision you previously received incorrectly indicated a Title Officer Trainee title in several locations. This has been corrected to Title Examiner Trainee. Additionally, several instances of Title Officer series were also corrected to Title Examiner series. Further, the effective date of the changes in the classification plan and the creation of the new title has been changed from July 26, 2017 to August 5, 2017, to synchronize with the beginning of the pay period. If you have any questions or concerns regarding these changes, please call the number listed above.

Sincerely,

Ernie Guia
Personnel and Labor Analyst

c: Kelly Glenn
Records Center

B-11



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of the Title Examiner
title series, Department of
Transportation

CSC Docket No. 2018-72

Changes in the State
Classification Plan and
Creation of a New Title

CORRECTED DECISION

ISSUED: AUG 04 2017 (EG)

The Division of Agency Services (Agency Services) requests creation of the non-competitive title of Title Examiner Trainee. Agency Services also requests various changes to the Title Examiner title series.

Agency Services explains in the attached Change in State Classification Plan that the duties and responsibilities of the Title Examiner series have undergone changes throughout the years that have increased the required knowledge, problem solving skills and employee accountability for these titles. Based on these changes, the Department of Transportation (DOT) requests that the experience requirements for all levels in the series be updated to make them consistent with the duties being performed. Additionally, DOT requests that the education requirement for the title of Title Examiner be increased to a Bachelor's degree to make it consistent with other levels in the series. Further, due to these changes, DOT requests an upward salary re-evaluation for the Title Examiner series. In this regard, Agency Services reviewed the changes in the job content for the series, and found that the compensable factors increased sufficiently to increase the titles' class code by one and thusly requiring an increase in the salary range.

Furthermore, the DOT requests the creation of a Title Examiner Trainee title to function as an entry-level title. The new Trainee title would be solely assigned to DOT. In addition, Agency Services requests that the Trainee title be assigned to the non-competitive division. It contends that competitive testing for this title is not practicable due to the nature of the knowledge, skills and abilities associated with the title. Additionally, Agency Services requests verbiage changes to the job

specification for Title Officer 2 to rename it to Title Officer and to make the Title Searcher title archaic.

Finally, Agency Services indicates that the appropriate negotiation representative have been notified of these proposed changes.

CONCLUSION

N.J.A.C. 4A:3-3.2 provides that the Commission shall establish and maintain classification plans for all job titles in the career, senior executive, and unclassified services. Additionally, *N.J.A.C.* 4A:3-3.3(a)1 and *N.J.A.C.* 4A:3-3.3(a)3 state that the Chairperson or designee shall implement and administer the classification plans and may establish new titles and abolish unnecessary titles, and may modify specifications for existing titles or series to ensure their accuracy. Further, *N.J.A.C.* 4A:3-4.9(b)2 provides that employees serving in a title which is reevaluated to a higher class code shall receive a salary increase equal to at least one increment in the salary range of the former title plus the amount necessary to place them on the next higher step in the new range.

N.J.A.C. 4A:3-1.2(c) provides that a job title may be placed in the noncompetitive division on an ongoing or interim basis when it is determined that it is appropriate to make permanent appointments to the title, and that one or more of the following criteria are met:

1. Competitive testing is not practicable due to the nature of the knowledge, skills and abilities associated with the job;
2. Certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions; or
3. There is a need for immediate appointments arising from a new legislative program or major agency reorganization.

Based on all of the foregoing, ample reasons exist for the creation of the Title Examiner Trainee title and to allocate it to the non-competitive division of the career service. There are no specific experience requirements for the title at issue and the only requirement is possession of a Bachelor's degree. Given that trainee titles are designed to provide entry level employment to public service, successful completion of the required Bachelor's degree provides sufficient evidence of eligibility for a trainee title. However, competitive testing is not practicable since the knowledge, skills, and abilities associated with a trainee title are evaluated during the mandatory training period. In this regard, appointees would be required

to complete both a 12-month training period as well as the required four-month working test period prior to attaining permanent status. *See, In the Matter of Reallocation of State Trainee Titles from the Competitive to the Non-Competitive Division of the Career Service* (CSC, decided April 23, 2014) and *In the Matter of Reallocation of State Trainee Titles from the Competitive to the Non-Competitive Division of the Career Service, Phase 2* (CSC, decided June 18, 2014).

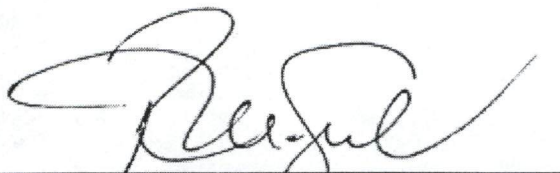
Finally, the Commission grants the request to change in the classification plan for the Title Examiner series, the upward salary reevaluation, the renaming of Title Officer 2 to Title Officer and the inactivation of the Title Searcher title as explained in the attached Change in the State Classification Plan.

ORDER

Based on all of the above, it is ordered that the title of Title Examiner Trainee be created effective August 5, 2017 and that it be allocated to the non-competitive division of the career service. Additionally, it is ordered that the change in the classification plan for the Title Examiner series, the upward salary reevaluation, the renaming of Title Officer 2 to Title Officer and the inactivation of the Title Searcher title be made in accordance with the attached Change in the State Classification Plan.

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 26TH DAY OF JULY, 2017



Robert M. Czedo, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher 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: Kelly Glenn
Michele A. Shapiro
Records Center

MEMORANDUM

DATE: June 15, 2017

TO: Civil Service Commission

FROM: Kelly Glenn, Director 
Division of Agency Services

SUBJECT: Change in State Classification Plan

DEPARTMENT OF TRANSPORTATION

The Department of Transportation (DOT) requests several updates to the Title Examiner title series. The DOT also requests the creation of a Trainee title for the series.

By way of background, the duties and responsibilities of the titles within the Title Examiner series have undergone many changes throughout the years, which have caused an increase in know-how, problem solving skills, and employee accountability for these titles. For this reason, the DOT requests the experience requirement for all levels in the series be updated to make the progression consistent and in-line with the duties. The DOT also requests that the education requirement of the Title Examiner (57142) title be increased to a Bachelor's degree to make it consistent with the other levels in the series.

Based on these changes, the DOT requests an upward salary re-evaluation of the said Title Examiner series.

The revised job specifications of the title series were reviewed for changes in job content. Job content re-evaluations are based on an analysis of changes in education and experience requirements, problem solving and accountability factors. These factors are analyzed to determine if a substantial change in job content exists. The result of our review indicates the compensable factors have increased sufficiently, causing the titles' class code to be raised by one; hence an increase in the range.

The Title Officer 2 (57135) title is being renamed to Title Officer (57135) to appropriately reflect the level of the title. There is no Title Officer 1 in the State classification plan.

The DOT also requests the creation of a Trainee title for this series, which would function as an entry-level title. The new Trainee title would provide on-the-job training to the employee and upon successful completion of the twelve-month training period; the incumbent would advance to the Title Examiner (57142) title. This title would be solely assigned to the DOT.

We request the Trainee title be assigned to the non-competitive class of service based on the criteria defined in *N.J.A.C. 4A:3-1.2*, which states:

“(c) A job title may be placed in the Noncompetitive Division on an ongoing or interim basis when it is determined by the Commissioner that it is appropriate to make permanent appointments to the title and one or more of the following criteria are met.

1. Competitive testing is not practicable due to the nature of the knowledge, skills and abilities associated with the job.”

The requirement of the Trainee title is completion of a Bachelor's degree. The Trainee title has no experience requirement. Given that the trainee title is designed to provide entry-level employment, successful completion of the required Bachelor's degree provides sufficient evidence of eligibility for the trainee title. Competitive testing is not practicable due to the nature of the knowledge, skills and abilities associated with this title.

The DOT proposes to promote the employees currently in the Title Searcher (57162, A15) title to the Title Examiner title in accordance with Civil Service's promotional procedures. Once this action is completed, they do not have use for this title in the future. Hence, the DOT requests inactivation of this title once the existing employees have vacated the title. This inactivation would offset the increase in title count due to the creation of the Trainee title.

Pay adjustments for incumbents currently serving in the titles which have been re-evaluated at a higher class code, will be implemented in accordance with *N.J.A.C. 4A:3-4.9(b)2*.

Appropriate negotiation representative has been notified in accordance with *N.J.A.C. 4A:3-3.3(f)*.

Effective date: The effective date of this action will be the beginning of the first pay period that follows the Commission's approval.

CHANGE IN SALARY RANGE

FROM

Title Examiner
P17 – 57142 Competitive O NE12

Senior Title Examiner
P20 – 57143 Competitive O NE12

Principal Title Examiner
R23 – 57144 Competitive O NL12

Title Officer 2
S27 – 57135 Competitive O NL12

TO

Title Examiner
P18 – 57142 Competitive O NE12

Senior Title Examiner
P21 – 57143 Competitive O NE12

Principal Title Examiner
R24 – 57144 Competitive O NL12

Title Officer
S28 – 57135 Competitive O NL12

TITLE TO BE CREATED

Title Examiner Trainee
P95 - _____ Non-competitive O NE12

TITLE TO BE MADE ARCHAIC

The following title will be inactivated once vacated.

FROM

Title Searcher
A15 – 57162 Competitive * NE12

TO

Title Searcher
A15 – 57162 Competitive # NE12

KG/SF/PM/MS