



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Shameka Kidd,  
Department of the Treasury

CSC Docket No. 2019-1377

Classification Appeal

ISSUED: DECEMBER 21, 2018 (SLK)

Shameka Kidd appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of her position with the Department of the Treasury is Technical Assistant. The appellant seeks a Technical Assistant 1, Treasury classification.

The record in the present matter establishes that the appellant's permanent title is Technical Assistant. The appellant sought reclassification of her position, alleging that her duties were more closely aligned with the duties of a Technical Assistant 1, Treasury. The appellant is assigned to the Division of Revenue and Enterprise Services, Enterprise Revenue Processing Operations, Data Conversion and Control unit, and reports to Sandra Angel-Embry, Supervisor of Operations. The appellant has no direct supervisory responsibility. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties that she performs. Agency Services reviewed and analyzed the PCQ completed by the appellant and all information and documentation submitted. Agency Services found that the appellant's primary duties and responsibilities entailed, among other things, performing a variety of technical duties including sorting and verifying assigned data, providing information and assistance in reviewing all outsourced work functions for her unit, assisting her supervisor relating to organizing and allocating data, and returning assignments to staff members while tracking and keeping count of workflow, maintaining and verifying source documents, preparing work for production, providing instruction to unit employees and ensuring that assigned work operations are accurately processed accordingly, monitoring and ensuring that all batches are successfully sorted and

filed appropriately, while also verifying records, creating logs, adding recording source documents into the DCR and DREAM mainframe systems for her unit, preparing and/or processing batches for follow-up actions related to technical records and files, maintaining backlogs acceptable to management, and reporting potential issues and/or findings to her supervisor. In its decision, Agency Services determined that the duties performed by the appellant were consistent with the definition and examples of work included in the job specification for Technical Assistant.

On appeal, the appellant asserts that she sought to have her position reclassified to Technical Assistant 1, not Technical Assistant 1, Treasury. She indicates that when her supervisor is not present, she makes decisions to ensure that the unit is run according to regulations, proper procedures, and policies. She claims that her responsibilities are at the level of a supervisor. For example, she assists callers with information, examines in detail the structure of information to explain and interpret information, and maintains logs for daily, weekly, and monthly reports. The appellant presents that she maintains logs for assigned work on the computer share drive or on an Excel Spreadsheet, which keeps up with the flow and tracking of work. She assists in preparing various documents and forms for data programming and applications for the unit. She also assists in researching and gathering technical information for official documents for applicable payment fees. She organizes assignments and analyzes mathematical calculations for reports, files, and records. The appellant monitors the unit for work operations to determine the distribution of the workflow and the priority of work. Finally, she indicates that she oversees staff on different tax returns and job forms to ensure information is properly entered into various systems and files.

Additionally, the appellant submits a letter from the Assistant Director, Division of Revenue and Enterprise Services who states that the Technical Assistant title is the entry stage for this title series and asserts that the appellant's duties are far and above this title. He indicates that the appellant is seeking her position to be classified as Technical Assistant 1 (64181) and believes that Agency Services inappropriately reviewed Technical Assistant 1, Treasury (51633), which he claims only pertains to the Division of Taxation. Further, he asserts that the appellant leads a group of Data Entry Operators by assigning work, making sure work is performed to standards, and reporting on staffing issues to her supervisor. Moreover, he states that she either works on or assigns data conversation from paper to digital and she performs her duties in an exceptional manner.

Further, the appellant submits a letter from the Acting Chief of Operations who oversees the Data Conversion bureau. The Acting Chief states that incumbents who serve as Technical Assistant 1 within the Data Conversion Bureau play an essential role in reviewing and verifying taxes and client payments in accordance with regulations and processing client payments with minimal errors.

The Acting Chief presents that Technical Assistant 1s disseminate and prioritize daily production by taking a lead over lower level operators within the unit to ensure operators accurately key information in a timely manner and within State guidelines. Also, Technical Assistant 1s make sure that all work is transferred to the accounting system and problem batches are addressed and resolved. Additionally, they are responsible for calculating payments for multiple tax returns and client work. Moreover, incumbents in this title ensure staff follow procedures and maintain reports and statistics for various units within the bureau and handle technical aspects of the testing unit, which is responsible for computing and testing all new document forms. The Acting Chief asserts that the appellant successfully performs the duties of a Technical Assistant 1.

### CONCLUSION

*N.J.A.C. 4A:3-3.9(e)* states that in classification appeals, the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the job specification Technical Assistant 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 1, Treasury (A15) states:

Under the direction of a Technical Assistant 2, 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.

The definition section of the job specification for Technical Assistant 1 (A14) states:

Under the close supervision of a supervisory official in a State department, institution, or agency, performs technical duties and/or performs para-professional responsibilities for prescribed technical projects or programs requiring the independent application of the rules, regulations, policies, and procedures to varying situations within the particular area of assignment; does other related duties as required.

The definition section of the job specification for Data Entry Operator 3 (A14) states:

Under general supervision, uses an alphanumeric keyboard, image scanner, or other data entry input device to enter, edit and/or update data from varied source documents into a prescribed computer system for storage, processing or data management purposes; performs a variety of complicated data entering and verification assignments and projects; takes the lead over a group of operators, consisting of entry level operators and support personnel; does other related duties as required.

By way of background, Agency Services changed the name of the title Technical Assistant 1, Treasury (R17-51634) to Technical Assistant 2, Treasury (same range/code) effective August 4, 2018. Due to this change and to identify which title the appellant contended was appropriate for the duties assigned, the interviewer asked both the appellant and later her supervisor during the telephone interview to clarify which title (Technical Assistant 1 or otherwise) they felt was suitable. Contrary to the assertions made on appeal, the interviewer indicated that both the appellant and her supervisor agreed that it was the title Technical Assistant 1, Treasury (A15-51633). Concerning the comments that the Technical Assistant 1, Treasury only pertains to the Division of Taxation, Technical Assistant 1 and Technical Assistant 1, Treasury titles are assigned to the Department of the Treasury. Consequently, both titles may be used anywhere within Department of the Treasury.

In this present matter, the main difference between the Technical Assistant and Technical Assistant 1, Treasury titles is that incumbents in the Technical Assistant 1, Treasury make routine eligibility, award, and liability determinations and calculations, while Technical Assistants do not. As the appellant does not perform eligibility and liability determinations, her position cannot be classified as a Technical Assistant 1, Treasury. With respect to the Technical Assistant 1 title, incumbents in this title perform technical duties and/or perform para-professional responsibilities for prescribed technical projects or programs. However, a review of the appellant's PCQ, appeal, and comments from her superiors do not indicate that

her primary responsibility is to perform duties for technical projects or programs and, therefore, her position cannot be reclassified to this title.

In reference to the appellant's comments that she performs duties at a "supervisory" level and she makes decisions when the supervisor is not present, as she does not sign the performance evaluations for lower level staff, she is not a supervisor. See *In the Matter of Alexander Borovskis, et al.* (MSB, decided July 27, 2005). Instead, a review of the appellant's PCQ indicates that she gives out assignments and instructions to specifically named Data Entry Operator 2s according to workflow as provided by her supervisor, she trains technical employees and Operators on new jobs and updated procedures, which develops uniformity for the keying and verifying work methods and standards, oversees the amount of work for processing deadlines while keeping her supervisor informed of the work that still needs to be keyed, provides feedback on Operators strengths and weaknesses for work operation to determine the distribution of work, and understands technical and data information on tax returns and different job forms, which enables her to accurately inform staff on how to enter information into various systems and files. In other words, a preponderance of her duties involves the leading of specifically named Data Entry Operators 2s by assigning and reviewing their work on a regular and recurring basis as well as providing training. Further, her superiors confirm that the appellant leads this group. Accordingly, the appellant is acting as a lead worker. See *In the Matter of Henry Li* (CSC, decided March 26, 2014) and *In the Matter of Catherine Santangelo* (Commissioner of Personnel, decided December 5, 2005). Therefore, in accordance with *N.J.A.C. 4A:3-3.9(e)3*, the Commission finds that the appellant's position should be classified as a Data Entry Operator 3, effective August 4, 2018.<sup>1</sup>

One other area needs to be addressed. It is noted that the job specification for Data Entry Operator 3 indicates that an incumbent takes the lead over a group of operators, consisting of entry level operators and support personnel. However, based on the appointing authority's organization chart, to exclude the Data Entry Operator 3 title from consideration in this matter because the appellant was leading a group of non-entry level Data Entry Operator 2s and not Data Entry Operators 1s would not be appropriate. To do so would leave no one to serve as a lead worker to the lower-level Operators.

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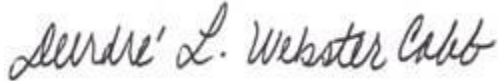
<sup>1</sup> This agency received the classification appeal on July 9, 2018. The pay period immediately following 14 days after receipt of this matter began on August 4, 2018.

**ORDER**

Therefore, it is ordered that this appeal be granted in part. It is further ordered that the appointing authority reclassify the appellant's position to Data Entry Operator 3, effective August 4, 2018.

This is the final administrative determination in this matter. Any further review is to be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 19<sup>th</sup> DAY OF DECEMBER, 2018



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