



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

Classification Appeal

In the Matter of  
Monica Medley-Mackson,  
Department of Banking and  
Insurance

CSC Docket No. 2020-781

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**ISSUED:** December 18, 2019 (RE)

Monica Medley-Mackson appeals the decision of the Division of Agency Services (Agency Services) which found that her position with the Department of Banking and Insurance is properly classified as Clerk Typist. She seeks a Senior Clerk Typist classification in this proceeding.

The appellant was regularly appointed Clerk Typist, a title in the non-competitive division, on August 29, 2011. Her position is assigned to the Real Estate Commission in the Department of Banking and Insurance, is supervised by a Supervisor of Licensing, Banking and Insurance and has no supervisory responsibility. Agency Services conducted a review of the appellant’s position and, based on a review of her current duties, determined that her position was properly classified as Clerk Typist.

On appeal, the appellant argues that she performs typing and other related clerical work requiring exercise of independent judgment and working knowledge of department rules, regulations, and policies. In support, the appellant describes some of her duties, which include those already submitted on her Position Classification Questionnaire (PCQ), as well as new tasks. She argues that the desk audit was insufficient as no one came to her to see the duties that she performs, nor did they perform a telephone desk audit. She argues that “the title specification” indicated that the Senior Clerk Typist is a supervisory title, but this appears to be an oversight as it does not. She provides a memo from her supervisor, who indicates that the appellant has been of assistance in helping the unit during the renewal cycle, and has basic knowledge of how to reply to inquiries from the real

estate industry. She states that the appellant responds with correct information and guides them to the proper staff member if she does not have the answer, and continues to be an asset and tremendous help to the unit.

## 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 for Clerk Typist states:

Under supervision, types and also performs routine, and repetitive, clerical work of a varied nature; does other related duties as required.

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

Under supervision, performs typing and other related clerical work requiring exercise of independent judgment and working knowledge of department rules, regulations, and policies, and/or has charge of the work of a small group of clerk typists, and/or has charge of the designated phase of the typing work of the department; does other related duties as required.

As indicated in Agency Services' determination, a Clerk Typist is responsible for answering simple and routine inquiries on department regulations, answers phone calls and records accurate messages, accesses and provides information, prepares documents and records, and maintains files. The Senior Clerk Typist answers non-routine inquiries, prepares records, reports and claims schedules, supervises the operation or care of office equipment, oversees the work of other clerical staff, and trains new clerical employees.

Employees undergoing a classification review are expected to unambiguously list their duties on a PCQ and, according to the instructions, do so in a manner "so clear that persons unfamiliar with the work can understand exactly what is done." Sufficient instructions are given for employees to complete the PCQ without having to rely on someone's assistance. On her PCQ, the appellant listed 15 tasks comprising 101% of her time. For 25% of the time, she answers incoming calls and directs calls to the appropriate person or unit, and retrieves messages from the voice mail box. On appeal, the appellant argues that this task also involves preparing correspondence and answers to inquiries, and that during licensing renewal periods the volume of these inquiries quadruple. This task was considered

in Agency Services' analysis, and is not evidence that the appellant answers non-routine inquiries. Although calls may cyclically increase, 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). It is noted that the appellant's supervisor indicated that the appellant had a basic knowledge of how to reply to inquiries from the real estate industry. But she does not indicate that the appellant also exercises independent judgment.

Next, typically, classification determinations list only those duties which are considered to be the primary focus of appellant's duties and responsibilities that are performed on a regular, recurring basis. See *In the Matter of David Baldasari* (Commissioner of Personnel, decided August 22, 2006). The appellant states that taking minutes of hearings is a complicated task. According to her PCQ, she performs this task 3% of the time. The appellant explains that she maintains the closeout spreadsheet for the licenses in closed files. However, this task does not require independent judgment and is routine in nature. The Commission does not agree with the appellant's contention that routing correspondence, or checking, verifying and sending payment requests to the finance unit, are complex duties.

The appellant states that she did not list that she is the Technology Coordinator for her section. Nonetheless, this is a new task which was not originally presented. The appellant details the duties of this task, but does not provide a percentage of time or assigned an importance to it. As it was not presented at the prior level of appeal, it cannot be considered. A holistic view indicates that the primary duties of the position more closely match those of Clerk Typist.

Next, classification reviews are typically conducted either by a paper review, based on the duties questionnaire completed by the employee and supervisor; an on-site audit with the employee and supervisor; or a formal telephone audit to obtain clarifying information. See *In the Matter of Richard Cook* (Commissioner of Personnel, decided August 22, 2006) (Desk audit that was scheduled to be conducted in appellant's office that was changed at the last minute to another building was a proper audit and did not warrant reclassification of his position). The chosen method in this case was a paper review, which is a valid way of collecting information about a position and is not by any means considered to be inadequate or improper. The appellant's dissatisfaction with the method of classification review is not a reason to conclude that the audit results were inaccurate.

Lastly, the appellant's argument that the "title specification" indicates that a Senior Clerk Typist supervises is misplaced. The job definition of the job specification indicates that the incumbent may have charge of the work of a small

group of clerk typists or designated phase of typing duties. This is not equivalent to the supervision of staff.

Accordingly, a thorough review of the entire record fails to establish that the appellant has presented a sufficient basis to warrant an Senior Clerk Typist classification of her position.

**ORDER**

Therefore, it is ordered that this appeal be denied.

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 18<sup>th</sup> DAY OF DECEMBER, 2019



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