



STATE OF NEW JERSEY

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

In the Matter of Regina Williamson,
Paterson

CSC Docket No. 2020-266

Classification Appeal

ISSUED: December 18, 2019 (RE)

Regina Williamson appeals the determination of the Division of Agency Services (Agency Services) that her position with Paterson is properly classified as Employee Benefits Clerk. The appellant seeks an Employee Benefits Specialist classification in this proceeding.

The appellant received a regular appointment to the title Employee Benefits Clerk on October 13, 2008. This position is in the Department of Finance, Insurance Division, reports to an Insurance Manger, and has no supervisory responsibilities. Upon her request, a classification review of her position was performed, including a review of her Position Classification Questionnaire (PCQ) and related documentation, and a telephone audit. Agency Services found that based on the primary duties of this position, the position remains properly classified as Employee Benefits Clerk.

On appeal, the appellant contends that she has dedicated time and effort to her duties, and given her experience she can provide feedback, guidance and instruction to the personnel division, provide input for her supervisor’s review, and attend meetings with others related to resolve items of a technical nature. Her “new customers” are retiring employees, and she performs classifications, which are not in scope for her job title. Additionally, she states that she has a new duty as a liaison to insurance companies on the resolution of member claim issues. She states that she classifies the transfer of retired employees, enrolls them in qualified life events, and does “claim issues” and “benefit assistance” to resolve member concerns and issues. She argues that she influences members regarding concepts,

deductibles, copays and finances, and applies proper roles to situations. She corresponds with members to provide their decisions, and finalizes their status regarding health insurance programs. She states that she manages and educates members in a collaborative effort with her supervisor.

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 if 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 set forth in the job specification for the title of Employee Benefits Clerk is:

Under direction, performs varied clerical work of limited complexity involved in the processing of enrollments, adjustments, determinations, and additions for employee insurance, hospitalization, benefits, and pension plans; does other related duties as required.

The definition set forth in the job specification for the title of Employee Benefits Specialist is:

Under direction, coordinates and administers an employee benefits program: advises claimants of insurance, hospitalization, fringe benefits, and pension plans; does other related duties as required.

It is long-standing policy that upon review of a request for position classification, when it is found that the majority of an incumbent's duties and responsibilities are related to the examples of work found in a particular job specification, that title is deemed the appropriate title for the position. The outcome of position classification is not to provide a career path to the incumbents, but rather is to ensure that the position is classified in the most appropriate title available within the State's classification plan. *See In the Matter of Patricia Lightsey* (MSB, decided June 8, 2005), *aff'd on reconsideration* (MSB, decided November 22, 2005). 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).

In making classification determinations, emphasis is placed on the Definition section to distinguish one class of positions from another. The Definition portion of a job specification is a brief statement of the kind and level of work being performed

in a title series and is relied on to distinguish one class from another. On the other hand, the Examples of Work portion of a job description provides typical work assignments which are descriptive and illustrative and are not meant to be restrictive or inclusive. *See In the Matter of Darlene M. O'Connell* (Commissioner of Personnel, decided April 10, 1992).

In this respect, Agency Services indicated that the duties of the position included addressing inquiries of members and new customers; explaining benefit options, and aiding and submitting applications and updating records; researching eligibility of members and customers for various benefit programs, pension, and health programs; identifying and explaining available options and making suggestions; managing files and maintaining records; and recording changes in information and program participation. It is assumed that "new customers" refers to active retirees and not to existing members of the system, and to new members of the health insurance plan.

The Employee Benefits Specialist is a professional title, requiring at least a Bachelor's degree. Professional work is basically interpretive, evaluative, analytical and/or creative requiring knowledge or expertise in a specialized field of knowledge. This is generally acquired by a course of intellectual or technical instruction, study and/or research. *See In the Matter of Lewis Gordon* (Commissioner of Personnel, decided September 27, 1997) (Youth Worker title series not considered to be at a level and scope consistent with professional experience). The Employee Benefits Specialist provides advice and counseling regarding specific plans, provides detailed explanations, assists applicants with forms, and directs them to other services. The Employee Benefits Specialist makes decisions, assists members with difficult determinations, makes recommendations for changes or inclusion of other/more programs, and administers the program. The Employee Benefits Specialist title is involved in administering the program, having a higher role in the overall organization of the project.

Regarding a new duty as a liaison to insurance companies on the resolution of member claim issues, the foundation of position classification, as practiced in New Jersey, is the determination of duties and responsibilities being performed at a given point in time as verified by this agency through an audit or other formal study. Duties which were not initially presented and were not reviewed by Agency Services cannot be considered in a classification appeal to the Commission. *See In the Matter of Dolores Houghton* (Commissioner of Personnel, decided October 6, 1993). If the appellant has new duties which take a significant portion of her time, her position may now be misclassified. If the appellant believes these duties are inconsistent with her current classification, she may request another classification review by Agency Services.

The appellant is performing primarily clerical work involving helping clients understand and enroll for the proper benefits or retirement plans, handling the paper work, and processing enrollment. She is not coordinating or administering the benefits program, and it appears as though her supervisor does this. While there is a vacant Administrative Clerk position in the unit, the appellant and her supervisor are the sole other employees of the unit. It is not uncommon for an employee to perform some duties which are above or below the level of work normally performed. However, an Employee Benefits Specialist does not mainly perform clerical work or para-professional work, and some of her work may be para-professional in nature. Therefore, the professional title of Employee Benefits Specialist is not warranted. The appellant has the burden of demonstrating that the duties of her position have evolved to an extent which warrants reclassification, and she has not fulfilled this obligation.

Accordingly, the record amply supports an Employee Benefits Clerk classification for the appellant's position.

ORDER

Therefore, the position of Regina Williamson is properly classified as Employee Benefits Clerk.

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 18th DAY OF DECEMBER, 2019



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