



STATE OF NEW JERSEY

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

In the Matter of Catherine Moon,
Department of Law and Public Safety

CSC Docket No. 2019-1705

Classification Appeal

CORRECTED

ISSUED: FEBRUARY 27, 2019 (RE)

Catherine Moon appeals the decision of the Division of Agency Services (Agency Services) which found that her position with the Department of Law and Public Safety is correctly classified as Travel Coordinator, Department of Law and Public Safety. She seeks an Administrative Assistant 1 title in these proceedings.

The appellant was regularly appointed to Travel Coordinator, Department of Law and Public Safety on May 28, 2004. She requested a classification review of her position and a thorough review of all submitted documentation was conducted. The position is in the Division of State Police, Administration, and her immediate supervisor was a Lieutenant Colonel. While not mentioned in Agency Services' determination, the organizational chart indicates that she supervises one Agency Services Representative 1.

Agency Services determined that the assigned duties of the position have, as the primary focus, supportive administration of the New Jersey State Police Travel Program. It indicated the while the appellant performs other related administrative responsibilities for the overall efficient operation of the unit, these duties do not constitute the primary focus of the position. It also indicated that, according to the Administrative Support Entitlement Plan established for the Department of Law and Public Safety, the unit already has an incumbent serving as an Administrative Assistant 1.

On appeal, the appellant argues that her current supervisor is also a Lieutenant Colonel, and that the incumbent Administrative Assistant 1's duties are

not similar to hers, but that the incumbent “direct coordinates as principal, the work of the administrative branch on behalf of the DSA (Deputy Superintendent Administrative).” She argues that she performs travel and training and “direct coordinates all documentation,” implements policy, and is “principal” on behalf of her supervisor for five “branches” that he supervises (Administration, Operations, Investigations, Homeland Security, and the Regional Operations Intelligence Center/ROIC). She states that she interprets and carries out requirements on his behalf, and coordinates work from the five branches; is a liaison for policy, budgeting, processing, accounting, and services; analyzes, reviews and prepares documentation; is the principal authority for her supervisor on final preparation for authorization and submission of paperwork for all branches; organizes and prepares all correspondence; and collects, reviews, investigates, and resolves potential conflicts regarding ethics prior to submission of official correspondence. She states that “other related duties” not listed on her Performance Assessment Review (PAR) include “direct coordinate and assist” in implementing administrative improvements throughout the division, including training, meetings, and the preparation of educational user manuals. She said she is also the principal assistant on fiscal matters and procedures regarding financial transactions, and advising and educating employees on maintaining strict compliance with training and travel. She submits an unsigned copy of the position classification questionnaire (PCQ) which was originally submitted.

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 the title Travel Coordinator, Department of Law and Public Safety states:

Under general direction of a supervisory official in the Department of Law and Public Safety, is responsible for initiating, reviewing, and processing all travel documents and informant fees, confirming all travel arrangements and carrier ticketing, and maintains the investigative fund of the division; does related work as required.

The definition section of the job specification for the title Administrative Assistant 1 states:

Assists an Assistant Commissioner, Deputy Commissioner, or other Executive Officer in a State department, institution, or agency by

performing and coordinating administrative support services, does other related duties.

The utilization of the professional level Administrative Assistant title series is determined based on the level of the assigned immediate supervisor. In this regard, this title is an "entitlement title." The Administrative Assistant 1 title is used to classify positions which assist an Assistant Commissioner, Deputy Commissioner, or other Executive Officer with responsibility for more than one division in a State department. An incumbent Administrative Assistant acts as a principal assistant to a manager or executive on administrative matters, relieving the supervisor of details related to the internal operation of the unit. The Administrative Assistant serves to coordinate support services to insure the availability and efficient use of resources needed to accomplish the goal of the unit, such as preparing the administrative aspects of the budget, coordination of fiscal and personnel procedures, and investigation of administrative or operational problems. The Executive Officer is allowed only one Administrative Assistant 1, and Agency Services indicated that there is an encumbered Administrative Assistant 1 position in the unit. On this basis alone, the appellant cannot be classified as an Administrative Assistant 1.

Further, the appellant concurs that the incumbent Administrative Assistant 1 performs dissimilar duties to her own. Also, pursuant to *N.J.A.C. 4A:3-3.9(e)*, information which was not presented at the prior level of appeal shall not be considered. That is, an appellant cannot resubmit a new set of duties for consideration on appeal. The question before the Commission is whether the duties that were considered by Agency Services as given to it originally are properly classified by the assigned title. When it is found that the majority of an incumbent's duties and responsibilities relate to the examples of work found in a particular job specification, that title is deemed the appropriate title for the position. As such, the major duties in time and importance determine the classification of a position. Duties performed 5 or 10% of the time can enhance or detract from the classification, but the tasks performed for the majority of the time will be predominantly used to make a determination.

The classification review determined the primary duties of the position, included overseeing the New Jersey State Police Travel Program, managing all travel and training requests for the division, serving as liaison, attending meetings representing the office, and performing other administrative duties. A review of her PCQ indicates duties that significantly match the ones that the appellant describes on appeal. There is, however, a discrepancy between these duties and those on her PAR. Her PAR indicates that the major goals are managing all travel and training requests for the division; supervising work involving "reviewing for accuracy," checking for adherence to current policies and procedures, acquiring all levels of proper authorization, and timely reimbursement of all travel/training packages; and

maintaining changes to Standard Operating Procedures (SOPs). Nevertheless, a classification determination is based on the duties of the position, and the PCQ is a significant document used in the determination. On the PCQ, the supervisor indicated that the appellants served a vital role in ensuring that all aspects of all accounting procedures are in accordance to law, circular matter, and other rules, regulations and policies. The PCQ, as it is written, does not establish that duties relating to travel and training are the primary focus. Five of her duties, performed for 10% of the time each, include principal assistant to and personal representative for her supervisor including being the primary contact, liaison, and representative of the Administration Branch; providing assistance to the supervisor as a liaison for organizing, staffing and coordinating administrative matters and activities; receiving, reviewing and analyzing correspondence and reports directed to her supervisor, prioritizing and composing documents, and tracking or researching the status of correspondence for her supervisor; working closely with the assistant to the command staff on matters requiring her supervisor's participation or action; and maintaining the calendar and schedule of her supervisor, scheduling meetings, maintaining agendas, preparing documentation for her supervisor, and making arrangements for speaking engagements, conferences and meetings.

The Commission is concerned about the large discrepancy between the duties that the appellant has reported on her PCQ and in her appeal, and those on her PAR, particularly since her supervisor agrees with the duties listed in her PCQ and since the appellant argues that her PAR is incorrect. Essentially, the two sets of duties describe different positions, and therefore, the appointing authority should review the appellant's PAR for accuracy. It cannot be determined if the appellant generalized her duties relating to travel coordination on her PCQ, or if she is assigned administrative duties related to assisting the executive(s), as confirmed by her supervisor. Based on the above, the Commission cannot support the finding at this time that the appellant is properly classified as a Travel Coordinator, Department of Law and Public Safety.

On a final note, Agency Services has determined that the standard required to classify titles assigned to the primary level supervisory employee relations group is that position must supervise three or more lower-level employees, including the preparation and signing of their PARs. It is noted that the requested title is not a supervisory title. The current title, Travel Coordinator, Department of Law and Public Safety, is in the "W" Employee Relations Group, (Confidential). As such, it is not a supervisory title, and the position does not meet the standard of a primary level supervisor as it has responsibility for one Agency Services Representative 1. As such, Travel Coordinator, Department of Law and Public Safety would not be appropriate. In addition, the position should be assigned supervisory responsibility of two additional employees to be a supervisory position.

ORDER

Therefore, it is ordered that Agency Services re-review the classification of the position encumbered by Catherine Moon, and the position encumbered by the current Administrative Assistant 1, consistent with this decision on an expedited basis.

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 20TH DAY OF FEBRUARY, 2019



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