



STATE OF NEW JERSEY

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

In the Matter of Diana Menzel, City
of Linden

Classification Appeal

CSC Docket No. 2020-1688

**ISSUED: SEPTEMBER 18, 2020
(ABR)**

Diana Menzel appeals the determination of the Division of Agency Services (Agency Services) that her position with the City of Linden (Linden) is properly classified as a Clerk 2. The appellant seeks a Purchasing Assistant classification in the proceeding.

The record in the present matter establishes that at the time of her request for a reclassification of her position, the appellant was serving provisionally in the title of Clerk 2.¹ In March 2019, the appellant requested a classification review of her position located in the Linden Department of Public Works and Community Services (Public Works). In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties she performed. In her PCQ, the appellant stated, in relevant part, that she spent 80 percent of her time processing material requisitions for Public Works via paper requests from supervisors; coding and typing requisitions using accounting software and public works chart of accounts; sending completed requisitions to the Purchasing Department for conversion into purchase orders; sending completed purchase orders to her supervisor; verifying the receipt of purchased materials; matching delivery tickets and invoices to purchase orders; forwarding signed paperwork for approval; advising new vendors on requirements for approval as a supplier for Linden; requesting quotes from vendors for general office and employee uniform supplies;

¹ The appellant was provisionally appointed to the title of Clerk 2, pending a qualifying examination, effective March 6, 2017. The appellant subsequently passed a qualifying examination, and received a regular appointment, effective May 31, 2019.

serving as a point of contact with vendors regarding payment, invoice and purchase order statuses; maintaining a log of purchase order draw downs and a purchase order filing system; and ordering and managing office supplies for Public Works. The appellant further indicated that she spent 10 percent of her time tracking employee leave balances, receiving leave request forms, preparing monthly leave reports, and maintaining compensation time logbooks for employees and supervisors. The appellant stated that she spent the remaining 10 percent of her time processing workers' compensation injury reports; maintaining budget account balances; performing payroll duties on an as-needed basis; registering employees for training classes; processing incoming mail; and receiving forms and payments from residents and recycling vendors.

Agency Services reviewed all documentation provided by the appellant including her PCQ. Agency Services found that the appellant's primary duties and responsibilities were preparing and processing requisitions for supplies and materials; verifying requirements of new vendors and responding to vendor inquiries; maintaining a purchase log and filing system; processing employee paperwork; maintaining a log of compensation time and injury reports; registering employees for training classes; and other related duties including, but not limited to, receiving mail and payments, preparing paperwork and reports, and assisting with payroll. Based on its review of the information provided, Agency Services concluded that the appellant's position was properly classified as a Clerk 2. In this regard, Agency Services found that the assigned responsibilities of the appellant, which included reviewing applications, processing employee paperwork and compensation logs, and assisting with payroll, extended beyond those of a Purchasing Assistant. Agency Services further noted that an employee serving in the title of Clerk 2 is responsible for receiving and reviewing applications, requisitioning office supplies, preparing reports, sorting and indexing forms and fees, and providing guidance to staff. Agency Services found that the duties and responsibilities assigned to the appellant were commensurate with the duties of incumbents in the Clerk 2 title.

On appeal to the Civil Service Commission (Commission), the appellant argues that her duties support a Purchasing Assistant classification. In this regard, she maintains that she spends the majority of her time requisitioning and coding all materials for Public Works; maintaining budget account balances; maintaining a filing system of paid invoices and purchase orders; and serving as the only point of contact for Public Works purchasing issues, such as payment request statuses, purchase order requisitions, matching delivery tickets to purchase orders, and communicating with vendors. She also submits that she requests quotes and orders office and uniform supplies. The appellant asserts that the other duties she listed in her PCQ do not negate the fact that her core responsibilities since March 2018 have been Purchasing Assistant duties. In particular, she emphasizes that she only performed the remaining duties listed in her PCQ when an Administrative Secretary was not in the office; and that her duties changed after another employee was

appointed to the title of Clerk 1, effective January 22, 2020. She indicates that following the appointment of that employee, she no longer assists the Administrative Secretary. She further submits that she performs other more complex duties when requested by supervisors.

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 for the job specification for Clerk 2 states:

Under limited supervision, performs clerical work involving the processing of documents in a variety of functions; performs moderately complex and non-routine clerical work; may provide guidance and assistance to other staff; does other related duties as required.

The definition section for the job specification for Purchasing Assistant states:

Under direction, compiles information to prepare purchase orders for procurement of materials, supplies, equipment, or service, reviews and edits purchase orders for proper description, number identification, and completion, and records the requisition and receipt of goods and services; does related work as required.

In the instant matter, the appellant disputes Agency Services' characterization of the primary focus of her duties. Namely, she contends that the majority of her duties are consistent with those of the title of Purchasing Assistant. A thorough review of the information presented in the record establishes that the appellant's position at the time of the audit was Clerk 2 and that she has not presented a sufficient basis to establish that her position was improperly classified. Although the appellant maintains that the majority of her duties correspond to those of an incumbent in the title of Purchasing Assistant, the Commission finds that her duties most closely correspond to the title of Clerk 2. The primary focus of duties in the title of Purchasing Assistant is the performance of technical duties related to purchasing. However, the record demonstrates that the appellant, at the time of her PCQ, was primarily performing clerical work involving the processing of documents in a variety of functions, including purchasing, leave balances, worker's compensation claims and processing mail; and providing guidance and assistance to other staff in her unit. As such, the appellant's primary functions were consistent with the Clerk 2 title at the time of her classification review.

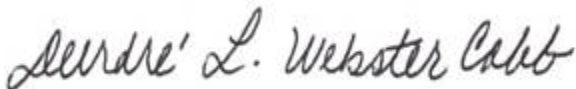
Regarding the appellant's assertion that some of the clerical duties were removed in January 2020, it is noted that her PCQ was filed with Agency Services on May 21, 2019. The foundation of position classification, as practiced in New Jersey, is the determination of duties and responsibilities being performed at a given point in time, as verified by this agency through an audit or other formal study. Thus, classification reviews are based on a current review of assigned duties and any remedy derived therefrom is prospective in nature since duties which may have been performed in the past or subsequent to classification review cannot be reviewed or verified. See *In the Matter of Community Service Aide/Senior Clerk (M631A)*, *Program Monitor (M6278O)*, and *Code Enforcement Officer (M0041O)*, Docket No. A-3062-02T2 (App. Div. June 15, 2004). See also *In the Matter of Engineering Technician and Construction and Maintenance Technician Title Series, Department of Transportation*, Docket No. A-277-90T1 (App. Div. January 22, 1992). See also, *In the Matter of Theresa Cortina* (Commissioner of Personnel, decided May 19, 1993). Therefore, the subsequent changes to the appellant's duties after she submitted her PCQ cannot be considered. However, if she believes that her work assignments have changed significantly enough that the primary focus of her position is different than presented in her original request for a classification review, she can request another classification review.

ORDER

Therefore, it is ordered that this appeal be denied, and that the position of Diana Menzel was properly classified as a Clerk 2 at the time of her classification review.

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 DAY 16th OF SEPTEMBER, 2020



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