



STATE OF NEW JERSEY

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

In the Matter of Maggie Mitchell,
Department of Environmental
Protection

CSC Docket No. 2021-198

Classification Appeal

ISSUED: SEPTEMBER 18, 2020(RE)

Maggie Mitchell appeals the decision of the Division of Agency Services (Agency Services) which found that her position with the Department of Environmental Protection (DEP) is properly classified as Superintendent Parks and Forestry 2. She seeks a Superintendent Parks and Forestry 4 job classification in this proceeding.

Agency Services conducted a review of the appellant's position including a review of her position classification questionnaire (PCQ) and other documentation. That classification review determined that the appellant's position was properly classified as Superintendent Parks and Forestry 2. The appellant was serving in the title Superintendent Parks and Forestry 2 when she requested a classification audit of her position. This position is assigned to the Department of Environmental Protection, Division of Parks and Forestry, State Park Service, State Marina Operations, Leonardo/Forked River/Twin Lights, is supervised by a Regional Superintendent Parks and Forestry, and supervises eight employees. The appellant directs the daily activities of Leonardo State Marina, Forked River State Marina, and the Twin Lights State Historic Site, which the DEP Area Management Classification System (AMCS) classifies as a Class 3 park. Based on the management of a Class 3 park, Agency Services found that the correct classification of the position was Superintendent Parks and Forestry 2.

On appeal, the appellant believes that her position should be classified as Superintendent Parks and Forestry 4. She argues that the AMCS is outdated, as it rated Leonardo State Marina, but not Forked River State Marina, and the Twin

Lights State Historic Site, which were added to her unit. She states the addition of these two areas increase her responsibility beyond that of her title. Also, she explains that since the last revision, which was June 9, 2015, Leonardo has increased the services offered to the public, a head boat in the marina has been leased, dry boat storage and personal watercraft docks have been added, winter wet storage has increased, and a nature center has been created from an office trailer and various events have been added. She states that her responsibility for Forked River State Marina, and the Twin Lights State Historic Site include managing 125 slips and dry storage, additional exhibits and tours, annual events, and a gift shop. She states that the revenue is the third highest in the park service, and she supervises nine permanent employees, and 16 seasonal employees. She argues that she was not given an in-person classification review. She provides a memo from her Director, dated November 13, 2018, which indicates that the State Park Service restructured the reporting of the Forked River State Marina and the Twin Lights State Historic Site to Leonardo State Marina under the appellant's supervision.

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 section of the job specification for Superintendent Parks and Forestry 2 states:

Under direction of a Regional Superintendent, Parks and Forestry or other supervisory official in the Department of Environmental Protection, directs the administration, operation, safety, maintenance, and development of a Class 3 park, forest, or recreation area; may be assigned to the Division Central Office or a Class 1 park for management support; when assigned to the Regional Office, assists the Regional Superintendent in the overall operation, maintenance and protection of the state forests, parks, natural and recreational areas, marinas and historic sited assigned to the region; does other related duties.

The definition section of the job specification for Superintendent Parks and Forestry 4 states:

Under the direction of a Regional Superintendent, Parks and Forestry or other supervisory official in the Department of Environmental Protection, directs the administration, operation, safety, maintenance,

and development of a Class 1 Park, forest, or recreation area; may be assigned to the Division Central Office; when assigned to the Regional Office, assists the Regional Superintendent in the overall operation, maintenance, and protection of the state forests, parks, natural and recreational areas, marina and historic sites assigned to the region; does other related duties.

At the outset, the classification of a position is determined based the duties and responsibilities assigned to a position at the time the request for reclassification is received as verified by audit or other formal study. 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. 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).

The chief difference in the titles in this series is the level of park which is managed. A Superintendent Parks and Forestry 2 manages a Class 3 park, a Superintendent Parks and Forestry 3 manages a Class 2 park, and a Superintendent Parks and Forestry 4 manages a Class 1 park. Leonardo State Marina is listed in the AMCS as a Class 3 park, and Forked River State Marina and the Twin Lights State Historic Site are not designated. While the appellant asserts that the combined AMCS point values for all the Parks under her supervision are at the level of a Superintendent Parks and Forestry 4, the AMCS does not allow for that calculation. Each park is assigned points for various aspects, such as revenue and staff, and all of the parks are classified as 1, 2, or 3 depending on the total number of points for all aspects. The total number of points for Leonardo State Marina designates it as a Class 3 park. The Forked River Marina and Twin Lights Historic Site parks are so small they are not even on the list. It is not unusual for a Superintendent Parks and Forestry to have responsibility for overseeing multiple smaller locations in addition to their primary park of assignment. The appellant has not established that she manages a Class 1 park to reclassify her position to Superintendent Parks and Forestry 4. Because the appellant manages as a Class 3 park, it is clear that the position is properly classified as a Superintendent Parks and Forestry 2.

As to the type of review, 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. Additionally, it is departmental policy that all audits are reviewed by supervisory and managerial staff prior to a decision being finalized. This classification review was originally scheduled to be in-person, but was changed to a paper review after COVID-19 closed many offices. A paper review 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.

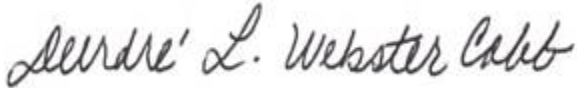
Accordingly, a thorough review of the entire record fails to establish that the appellant has presented a sufficient basis to warrant a Superintendent Parks and Forestry 4 classification of her position.

ORDER

Therefore, the position of Maggie Mitchell is properly classified as Superintendent Parks and Forestry 2.

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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