

CSC  
B-21



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Linda Trickey,  
Department of Labor and Workforce  
Development

Classification Appeal

CSC Docket No. 2016-862

ISSUED: **DEC 17 2015** (SLK)

Linda Trickey appeals the attached decision of the Division of Agency Services (Agency Services) that the proper classification of her position with Department of Labor and Workforce Development is Senior Technician, Management Information Systems. The appellant seeks a classification of Principal Technician, Management Information Systems.

The record in the present matter establishes that the appellant's permanent title is Senior Technician, Management Information Systems. She is assigned to the Division of Workers' Compensation and reports to Shravani Kosnik, Senior Executive Service. The appellant does not have any supervisory responsibilities. The appellant sought a reclassification of her position, alleging that her duties are more closely aligned with the duties of a Principal Technician, Management Information Systems. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ)<sup>1</sup> detailing the different duties she performs as a Senior Technician, Management Information Systems. Agency Services reviewed and analyzed the PCQ completed by the appellant as well as other information and documentation provided by the appellant and her supervisor. On July 16, 2015, Agency Services conducted an audit. In its decision, Agency Services determined that the duties performed by the appellant were consistent with the definition and examples of work included in the job specification for Senior Technician, Management Information Systems. However, Agency Services also determined that the appellant's job duties involving the preparation of Performance Assessment

<sup>1</sup> Ms. Trickey's PCQ indicates that she supervises two lower level technicians. However, Agency Services' audit of her position revealed that although she prepared these employees' PARs first drafts, her supervisor signed them.

Reviews (PARs) first drafts, writing of new standard operating procedures and updating outdated procedures for the Technical Unit, providing training of new unit procedures to the Technical Unit, and the approval of leave requests should be removed.

On appeal, the appellant presents that her division is currently in the middle of a number of information technology upgrades and that it is essential to maintain a technology support operation that can manage and coordinate all essential information technology related activities in cooperation with the Department's Division of Information Technology. The appellant asserts that the duties that were determined to be removed from her responsibility cannot be shifted to other employees as those individuals who had previously performed these duties have retired or otherwise vacated their positions over the past 15 years. In support of this claim, the appellant outlines the history of the technology operations and staffing of her unit over the past 15 years and highlights the current vacant positions. Therefore, the appellant maintains that the unit and management structure of her department has been depleted over the years while the volume of work has continued to increase dramatically. Consequently, she contends that there is no line management in place and that no one else is qualified to run the day to day operations, provide technical support to customers, develop procedures, and train employees.

### CONCLUSION

The definition section of the job specification for Senior Technician, Management Information Systems states:

Under direction of a supervisory official in a State or local department, institution, or agency, assists in the planning, development, and implementation of information systems; reviews related programs and systems; acts as liaison with internal components utilizing the systems, and/or with other government jurisdictions; or in a client/server environment, provides hardware/software support to end users; installs hardware and software on servers or workstations; does other related work.

The definition section of the job specification for Principal Technician, Management Information Systems states:

Under direction of a supervisory official in a State or local department, institution, or agency, supervises staff involved in the planning, development, and implementation of information systems, reviews related programs and systems; acts as liaison with internal components utilizing the systems, and/or with other government

jurisdictions; or in a client/server environment, provides hardware/software support to end users; installs hardware and software on servers or workstations; does other related duties.

In the present matter, the appellant's position is properly classified as Senior Technician, Management Information Systems. According to the job specification for Principal Technician, Management Information Systems, incumbents **supervise** staff involved in the planning, development, and implementation of information systems. Conversely, incumbents in the Senior Technician, Management Information Systems title assist in the planning, development, and implementation of information systems. In other words, in order for a position to be classified as Principal Technician, Management Information Systems, incumbents are required to have supervisory responsibilities. At the time of the classification review, the appellant was preparing the first drafts of employees' PARs, but her supervisor had the responsibility to sign them. Consequently, the appellant was not performing supervisory duties as the one who signs the performance evaluation is ultimately the one who has the responsibility and accountability of recommending hiring, firing, and disciplining subordinate employees. Therefore, the signing of the performance evaluation is what makes a supervisor a supervisor. *See In the Matter of Robert E. Swanwick*, Docket No. A-1103-03T3 (App. Div. February 8, 2005) (Employee found to be properly classified as a Senior Building Maintenance Worker, *not* an Assistant Supervisor, Building Service, where he had no supervisory authority over contractual janitorial personnel and his completion of employee progress reports was subject to the review and signature of his immediate supervisor). Instead, what the appellant describes are lead worker responsibilities. An incumbent in a leadership role refers to persons whose titles are non-supervisory in nature, but are required to act as a leader of a group of employees in titles at the same or lower level than themselves and perform the same kind of work as that performed by the group being led. *See In the Matter of Catherine Santangelo* (Commissioner of Personnel, decided December 5, 2005). Therefore, Ms. Trickey's responsibility to act as a lead worker for a lower level Technician and a clerical employee does not evidence that her position is misclassified.

The appellant argues that the duties determined to be removed from her responsibility cannot be removed as the volume of work for her unit has increased over the past 15 years and she is the sole individual who is qualified to perform these duties due to vacant positions in her unit. However, even if her claims are true, this does not establish that the appellant's position should be classified by a supervisory title when she does not have supervisory responsibility. *See In the Matter of John Freise* (CSC, decided May 1, 2013). Further, 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). Accordingly, it was appropriate for Agency Services to determine that the appellant's responsibility for preparing the first drafts of PARs,

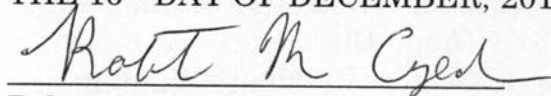
approving leave requests, and providing training on new standard or updated operating procedures that she has written for the Technical Unit are not commensurate with her title and should be removed. However, as a lead worker, the appellant is not precluded from training employees in titles at the same or lower level, but she should not be writing new standard operating procedures and updating outdated procedures for the Technical Unit.

ORDER

Therefore, the Civil Service Commission concludes that the position of Linda Trickey is properly classified as a Senior Technician, Management Information Systems.

This is the final administrative determination in this matter. Any further review is to be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 16<sup>th</sup> DAY OF DECEMBER, 2015



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Henry Maurer  
Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

Attachment

c: Linda Trickey  
Thomas Healy  
Kenneth Connolly  
Joseph Gambino





STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION  
Agency Services  
P. O. Box 313  
Trenton, New Jersey 08625-0313

CHRIS CHRISTIE  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

July 23, 2015

Ms. Linda Trickey  
New Jersey Department of Labor and Workforce Development  
[REDACTED]

**Re: Classification Appeal – Senior Technician Management Information  
Systems, Position # 010026, CPM Log# [REDACTED] EID # [REDACTED]**

Dear Ms. Trickey:

This is to inform you of our determination concerning the classification appeal referenced above. The determination is based upon a thorough review and analysis of the Position Classification Questionnaire submitted and the information and documentation obtained during and subsequent to the audit conducted July 16, 2015, as well as the information provided by your immediate supervisor, Shravani Kosnik (Senior Executive Service, M98).

**Issue:**

You are serving permanently (RAP) in the title, Senior Technician Management Information Systems (P18, 62042), Department of Labor and Workforce Development. You contend you are performing duties and responsibilities commensurate with the title, Principal Technician Management Information Systems (R21, 62043).

**Organization:**

Your position is assigned to the Division of Workers' Compensation, New Jersey Department of Labor and Workforce Development. You report directly to Shravani Kosnik (Senior Executive Service, M98). You assist in the supervision of two

employees: Timothy Mindek, Technician Management Information Systems, and Deborah Cipolloni, Principal Clerk Typist.

**Findings of Fact:**

The primary function of your position is to assist in the supervision of the Technical Support unit, assigning work to staff and ensuring the Case Organization Utilization Reporting and Tracking System (COURTS) is running properly. You see that system tasks are completed timely, and helpdesk requests are resolved quickly and accurately.

You perform the following assigned duties and responsibilities:

- Assign work to the Technical Unit and review their work for accuracy.
- Prepare the Performance Assessment Reviews of Timothy Mindek, Technician Management Information Systems, and Deborah Cipolloni, Principal Clerk Typist, for Shravani Kosnik's signature.
- Provide COURTS training to new employees. Train employees on changes to the system and any new features.
- Write new standard operating procedures, update outdated procedures for the Technical Unit and provide training of new unit procedures to the Technical Unit.
- Approve leave requests for Timothy Mindek, Technician Management Information Systems, and Deborah Cipolloni, Principal Clerk Typist.
- Research and resolve COURTS system data errors.
- Conduct annual survey of COURTS users for system improvement recommendations and compile survey results.
- Prepare unit statistical reports (i.e. types of user problems, number of user requests received).
- Create COURTS user accounts.
- Provide Helpdesk support for COURTS system users.

- Maintain three email accounts to respond to questions, problems and suggestions from internal and external COURTS users in sixteen offices (more than 4,150 users).
- Create calendars for attorneys in fifteen district offices.
- Update and maintain attorney and insurance carrier information tables.
- Maintain inventory and recommend equipment purchases for projects(i.e. specific printers, computers, scanning equipment) for sixteen offices.
- Assist in testing new features of the COURTS system. Write test scripts, test new features, and create tickets for problems to be addressed by the programmers. Maintain database of findings and problems. After the programmers have solved the problem, retest and ensure the program is working according to business requirements.

### **Review and Analysis:**

Currently, your position is classified in the title, Senior Technician Management Information Systems (P18, 62042). The definition section of the job specification for the title states:

“Under direction of a supervisory official in a state or local department, institution, or agency, assists in the planning, development, and implementation of information systems; reviews related programs and systems; acts as liaison with internal components utilizing the systems, and/or with other government jurisdictions; or in a client/server environment, provides hardware/software support to end users; installs hardware and software on servers or workstations; does other related work.”

Incumbents in this title, in addition to performing system installation and maintenance, assist in the design and development of management information systems. Incumbents at this level may participate in program and operational studies to determine applicability to information systems, and prepare reports of findings and recommendations. Positions at this level are not considered supervisory, but incumbents may be used as lead workers in that they may train,

guide and instruct lower level Technicians, without having direct responsibility for performance evaluations.

You contend your position should be classified in the title, Principal Technician Management Information Systems (R21, 62043). The definition section of the class specification for this title states:

“Under direction of a supervisory official in a state or local department, institution, or agency, supervises staff involved in the planning, development, and implementation of information systems, reviews related programs and systems; acts as liaison with internal components utilizing the systems, and/or with other government jurisdictions; or in a client/server environment, provides hardware/software support to end users; installs hardware and software on servers or workstations; does other related duties.”

Incumbents in this title supervise staff involved in the planning, development and implementation of information systems. While incumbents are capable of performing all levels of tasks associated with this series, the primary focus of the position is supervision of the unit. Incumbents plan, organize and assign the work of the unit and evaluate work performance. Incumbents may personally participate in or handle the most difficult of tasks, or may provide explicit instructions for handling by subordinate staff, with close direction and supervision of progress and results. In addition to supervision, incumbents assume the highest degree of responsibility for the analysis of management information-needs, the drawing of conclusions, and the making of decisions and recommendations. Incumbents are responsible for the implementation of recommendations, and the monitoring and reassessment of needs.

The audit revealed the primary function of your position is to assist in the supervision of the Technical Support unit. You assign work to staff and ensure the Case Organization Utilization Reporting and Tracking System (COURTS) is running properly. You see that system tasks are completed appropriately and timely, and all helpdesk requests are resolved within a prescribed timeframe. You assign work to the Technical Unit, review the work for accuracy, prepare the Performance Assessment Reviews of Timothy Mindek, Technician Management Information Systems, and Deborah Cipolloni, Principal Clerk Typist, for Shravani Kosnik's signature, as well as provide training, write new standard operating procedures, update outdated procedures, and provide training of new unit procedures to the Technical Unit. You approve leave requests, conduct annual survey of COURTS users for system improvement recommendations and compile



survey results. You prepare unit statistical reports and provide helpdesk support for COURTS system users. Although some of these duties are beyond the scope of an incumbent in your current title, you do not sign the Performance Assessment Reviews of staff. The duties and responsibilities of your position compare most favorably with the title, Senior Technician Management Information Systems (P18, 62042).

In, *In the Matter of Julius Mallepalle*, (MSB, decided November 7, 2013), a lead worker's leadership role is described as follows:

"A leadership role refers to those persons whose titles are non-supervisory in nature, but are required to act as leaders of a group of employees in titles at the same or a lower level than themselves. Duties and responsibilities would include training, assigning and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations."

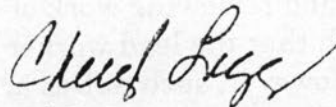
Your position trains, assigns and reviews the work of the Technical Unit on a regular and recurring basis. Your contact with other employees is in an advisory capacity. However, you are not responsible for signing Performance Assessment Reviews. As such, your position is considered a non-supervisory position. The duties and responsibilities of your position compare most favorably with the title, Senior Technician Management Information Systems (P18, 62042).

**Determination:**

Based on the information as stated above, it is my determination that your position is properly classified in the title, Senior Technician Management Information Systems (P18, 62042), and that the following job duties be removed: preparation of Performance Assessment Reviews, writing of new standard operating procedures and updating outdated procedures for the Technical Unit, providing training of new unit procedures to the Technical Unit, and the approval of leave requests. By copy of this letter, the Appointing Authority is advised to remove the above stated duties and assign duties and responsibilities commensurate with your permanent title, Senior Technician Management Information Systems (P18, 62042). The Appointing Authority must provide the Civil Service Commission with information documenting the change in duties assigned to the position, by submitting a DPF-44S, within thirty days of receipt of this determination letter.

If you wish to appeal this decision, you may do so within twenty days of receipt of this letter. Since an appeal will be subject to final administrative review, all arguments which you wish considered should be submitted within the specified timeframe. Appeals should be addressed to the Division of Appeals and Regulatory Affairs, Written Records Appeal Unit, P.O. Box 312, Trenton, New Jersey 08625-0312. Please note that the submission of an appeal must include a copy of the determination being appealed as well as written documentation and/or argument substantiating the portions of the determination being disputed and the basis for the appeal.

Sincerely,



Cheryl Legg, Human Resource Consultant 5  
Division of Agency Services

CL:kk

c. Mary Fitzgerald

File

Nick Kanellis