



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Lashauna
Williamson, Department of Law and
Public Safety

Classification Appeal

CSC Docket No. 2016-3698

ISSUED: **NOV 30 2016**

(ABR)

Lashauna Williamson appeals the attached decision of the Division of Agency Services (Agency Services), which found that her position with the Department of Law and Public Safety is properly classified as Agency Services Representative 2. She seeks an Agency Services Representative 4 classification or, alternatively, an Agency Services Representative 3 classification in this proceeding.

The appellant received a regular appointment to the title of Senior Clerk Typist effective June 28, 2003. In September 2015, the appellant requested a classification review of her position located in the Department of Law and Public Safety, Office of Consumer Protection, Regulated Business Section. Agency Services' review found that the appellant's duties were clerical and customer service oriented in nature. Specifically, the primary responsibilities of the appellant's position included: receiving and verifying notifications of deficient applications for Home Improvement Contractor licensure; monitoring deficient files and tracking the receipt of missing documentation; issuing follow-up request letters for outstanding deficiencies; forwarding completed files for processing; addressing customer inquiries, receiving documentation and accepting payments when assigned to the front desk; processing payments for the Telemarketing Unit; and filling in to assist the Telemarketing and Charities Units as needed. Agency Services determined that the Senior Clerk Typist title was inappropriate because clerical typing was not the primary focus of the appellant's position and the appellant did not oversee the work of a clerical unit. Agency Services also found that the Agency Services Representative 4 title was an inappropriate classification for the appellant's position because she was not responsible for evaluating

applicants' credentials and did not make recommendations or determinations pertaining to the issuance of certifications and licenses. Based on the foregoing, Agency Services found that the appellant's assigned duties and responsibilities were commensurate with the title of Agency Services Representative 2, effective October 17, 2015. The appellant currently holds that title.

On appeal to the Civil Service Commission (Commission), the appellant contends that the complexity of her responsibilities, her work with customers on the Home Improvement Contractor application process and her role in providing on-the-job training to unit staff are more consistent with the Agency Services Representative 4 title. The appellant cites her role as the liaison for reviewing all returned Home Improvement Contractor licenses as sufficiently complex to warrant the reclassification. She emphasizes that some of the more complex aspects of her duties include releasing alerts/holds in the database, and evaluating and verifying information and documents presented by customers and applicants. The appellant also points to her responsibilities related to communicating with applicants such as addressing customer inquiries, obtaining required identification documents, informing applicants what additional supporting documentation they need, resolving overpayment issues, and explaining reasons for denial or rejections of licenses. With respect to on-the-job training, the appellant claims that she trained several staff members and interns in her unit, including an Investigator 3, Law and Public Safety and an Investigator 4, Law and Public Safety. The appellant states that agency records show that she was assigned to train the aforementioned Investigator 4, Law and Public Safety while Catherine Maddaloni, Supervising Investigator, Law and Public Safety, was on Medical Leave between September 2015 and January 2016. The appellant also submits copies of her Bachelor of Arts degree from Rutgers University; her Associate's degrees in General Science and Liberal Arts from Essex County College; certificates of achievement and other documentation demonstrating her accomplishments, training, and experience; a letter of recommendation from a former supervisor; and other correspondence containing positive review of her job performance.

CONCLUSION

The definition section of the job specification for Agency Services Representative 2 states:

Under the limited supervision of a supervisory official in a State department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides information to customers regarding department/agency programs and services; may provide guidance and assistance to clerical staff; does other related work as required.

The definition section of the job specification for Agency Services Representative 3 states:

Under the general supervision of a supervisory official in a State department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides specialized information to customers regarding department/agency programs and services; handles the more complex and/or sensitive customer issues, requests and complaints; does other related work as required

The definition section of the job specification for Agency Services Representative 4 states:

Under the direction of a supervisory official in a State department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides varied information to customers regarding department/agency programs and services; handles the most complex and/or sensitive customer issues, requests and complaints; functions in a lead worker capacity; does other related work as required.

At the outset, the Commission notes that the appellant's job performance does not have a bearing on her classification. 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).

Based upon a thorough review of the information presented in the record, the appellant's position is appropriately classified as an Agency Services Representative 2. First, the appellant does not demonstrate that the work she performs is sufficiently complex to warrant an Agency Services Representative 3 or Agency Services 4 classification. A worker may be considered to engage in "complex" tasks for classification purposes where, for example, he or she utilizes non-routine procedures, deals with unusual subject matter and/or interacts with sophisticated parties. See *In the Matter of David Akins, William Bialowasz and Philip Greenberg* (Commissioner of Personnel, decided August 16, 2005) (While it is difficult to accurately define a "complex negotiation," a negotiation is not necessarily considered complex based by the dollar amount/value, but rather by the nature of the acquisition itself such as acquisitions involving frequent departures from standard practices and guidelines). Here, the appellant often works with parties

seeking Home Improvement Contractor licenses, communicates with them regarding any missing items, and explains the rationale behind any rejections to unsuccessful applicants. The appellant does not indicate that the information she reviews or the procedures she utilizes vary tremendously between applicants. The evidence does not suggest that the appellant's application review work involves sophisticated entities or highly technical information, such that it could be considered "complex" work for classification purposes. Consequently, the routine nature of the appellant's described duties does not support a further reclassification. Furthermore, the appellant also fails to show that she takes on the lead worker role required for the Agency Services Representative 4 classification. A leadership role refers to those 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 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. Being a lead worker does not mean that the work is performed by only one person, but involves mentoring others in work of the title series. *See In the Matter of Henry Li* (CSC, decided March 26, 2014). Here, the appellant does not demonstrate that she acts as a lead worker. Critically, the appellant does not claim that she mentors others in the Agency Services Representative title series. While the appellant states that she trained several employees within her unit in the past, there is no evidence that she trains other employees in the Agency Services Representative title series, assigns responsibilities to employees in that title series or acts as a mentor. Instead, the aforementioned duties can be considered appropriate work which relates to the Agency Services Representative 2 title. Accordingly, the foregoing demonstrates that the appellant's work is consistent with the Agency Services Representative 2 classification.

ORDER

Therefore, the position of Lashauna Williamson is properly classified as Agency Services Representative 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 23RD DAY OF NOVEMBER, 2016

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