



**STATE OF NEW JERSEY**

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

In the Matter of Rose Richardson,  
Department of Law and Public Safety

Classification Appeal

CSC Docket No. 2018-1960

**ISSUED: APRIL 9, 2018** (SLK)

Rose Richardson appeals the determination of the Division of Agency Services (Agency Services) that her position with the Department of Law and Public Safety is properly classified as a Building Management Services Specialist 1. The appellant seeks a Manager 2, Department of Law and Public Safety job classification in this proceeding.

The record in the present matter establishes that the appellant is permanent in the title of Building Management Services Specialist 1. The appellant's position is assigned to Support Services, Office of the Attorney General, Department of Law and Public Safety and her supervisor is Terri Goldberg, Manager 2, Department of Law and Public Safety. At the time of the classification review, the appellant supervised 13 employees. The appellant's Position Classification Questionnaire (PCQ) indicated that she spent 25% of her time supervising satellite office supervisors, 10% of her time coordinating the development and implementation of policy and procedures, 20% of her time assigning, reviewing, and adjusting projects to accomplish the goals of the Director, 10% of her time providing expertise and assistance to increase the productivity of coordination between the Divisions within the Department of Law and Public Safety, 25% of her time supervising logistic support functions, 5% of her time reviewing, correcting, approving or disapproving inventory purchases, and 5% of her time managing facilities in the absence of the Director and Deputy Director.

Agency Services found that the appellant's primary duties and responsibilities entailed, among other things, supervising the day-to-day coverage

and operations of the mailroom, supply room, hot-line/ticket system and courier services. This work involved providing supervision of clerical and technical staff, assigning staff projects as needed, ensuring that project target dates and/or deadlines are met, resolving problems, monitoring operations to assess efficiency of services provided and preparing reports of findings, supervising satellite office supervisors, and providing recommendations to the Deputy Director and Director. Agency Services found that the preponderance of the appellant's duties involved the supervision of staff, implementing procedures, and overseeing the daily operations of the support services functions for the units that she supervised and she did not manage a major work program as she was not responsible for the formulation and revision of policies or developing strategies to achieve overall organizational goals. It found that while the appellant may make recommendations to both the Deputy Director and Director regarding workflow improvement, they have final authority on all decisions and therefore, the appellant's duties did not rise to the level and scope of a manager. Accordingly, it found that the appellant's duties were commensurate with a Building Management Services Specialist 1. It noted that this title is in the "S" Employee Relations Group (ERG) and that two of the employees that the appellant supervised also held titles in the "S" ERG. Therefore, it directed the appointing authority to remove these employees from the appellant's direct supervision.

On appeal to the Civil Service Commission (Commission), the appellant acknowledges that she ensures the proper delivery of services for the supply room, mailroom, and couriers. However, she asserts that other sections that she supervises, such as records retention, teach different sections within the department the procedures for storing their own records. Additionally, she indicates that she takes on projects outside of her department. Further, she is in charge when both the Director and Deputy Director are on leave at the same time. The appellant represents that she has formulated policies and procedures without input from the Assistant Director and Director. Moreover, the appellant asserts that she takes the lead on hiring, firing, and disciplining all of her staff without assistance from the Assistant Director and Director. The appellant presents that the department-wide programs that she helped formulate include the development of a computerized helpdesk, a computerized supply request system, creating and implementing the policies and procedures for the use of hand delivery receipt, effective use of the couriers, and new mail policies. Additionally, she indicates that her major work programs include the management of the mailroom, supply room, couriers, records retention, help desk for the Hughes Justice Complex, and managing the operations and vehicles, telecom and building management for three satellite offices. She notes that although the determination letter indicates that she should no longer be supervising employees in the "S" ERG, those duties have not been removed.

## 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 Building Management Services Specialist 1 states:

Under general direction of a supervisory officer in a State department, institution, or agency, completes and/or supervises the completion of highly complex analytical or unusually difficult administrative work required to provide or support the provision of building management, operation, maintenance, service and renovation, or supervises the operation, maintenance, and delivery of building services for a large building complex; does related work as required.

The definition section of the job specification for Manager 2, Department of Law and Public Safety states:

Under direction of a Department Senior Executive Service Director or other supervisory official, may coordinate/administer a major work program in any of the following areas: Administration and Program Operation, Policy and Planning, Finance and Administration, Interagency Coordination, Communications and Public Affairs, Capital Policy and Programming; recommends formulation and revisions of policy, regulations, methodologies, procedures, and strategies to achieve organizational goals; performs related managerial workload assignments as required; does other related duties as required.

In the instant matter, the appellant disputes Agency Services' characterization that her primary responsibility is to oversee the daily operations of the support services functions that she supervises. While she acknowledges that some of her duties involve the proper delivery of services, the appellant argues that she also has responsibility for coordinating and administering major work programs and gives examples to support her argument. However, a thorough review of the information presented in the record establishes that the appellant's position is properly classified as an as a Building Management Services Specialist 1 and she has not presented a sufficient basis to establish that her position is improperly classified. Managerial responsibility involves formulating and implementing directives, directing work toward specific goals and objectives, authority over

employees, budgets and equipment, planning overall work operations, establishing priorities and deadlines, setting performance standards, and devising and planning methods and procedures. Supervisory responsibilities involves seeing that tasks are carried out, assigning and distributing work, passing on instructions, maintaining the flow and quality of work to fulfill objectives, making available or obtaining necessary material, equipment, and supplies, providing training and preparing employee evaluations. See *In the Matter of Sandra Angel-Embry* (CSC, decided June 3, 2015); *In the Matter of Joseph Blusnavage* (CSC, decided January 27, 2010). However, after a review of the appellant's PCQ and the information presented in the appellant's appeal, she has not clearly demonstrated that she spends at least 50% of her time performing managerial duties. See *In the Matter of Lawrence Craig and Louis Muzyka* (CSC, decided February 11, 2009). On appeal, the appellant acknowledges, that at least for the supply room, mailroom, and courier functions, her primary duty is to ensure the proper delivery of services. Further, the majority of the appellant's supervisory duties involved supervising non-second level supervisory personnel who performed clerical or technical duties, which is consistent with an incumbent serving in a title in the "S" ERG. Moreover, while the appellant may have been instrumental in developing some organization-wide policies and procedures, there is no evidence that the appellant spent the majority of her time performing these duties. The fact that some of an employee's assigned duties may compare favorably with some examples of work found in a given job specification is not determinative for classification purposes, since, by nature, examples of work are utilized for illustrative purposes only. Moreover, it is not uncommon for an employee to perform some duties, which are above or below the level of work, which is ordinarily performed. For purposes of determining the appropriate level within a given class, and for overall job specification purposes, the definition portion of the job specification is appropriately utilized. Finally, as indicated in Agency Services' determination, if it has not done so already, the appointing authority is ordered to remove any employees in the "S" ERG from the appellant's direct supervision.

Accordingly, the foregoing demonstrates that the appellant's work is consistent with the Building Management Services Specialist 1 classification.

### **ORDER**

Therefore, it is ordered that this appeal be denied, and the position of Rose Richardson is properly classified as a Building Management Services Specialist 1.

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 4<sup>th</sup> DAY OF APRIL, 2018



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