



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Greg Cavanagh,  
Department of Health

CSC Docket No. 2019-3334

Classification Appeal

ISSUED: JUNE 14, 2019

(SLK)

Greg Cavanagh appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of his position with the Department of Health is Senior Stock Clerk. The appellant seeks a Supply Support Technician 2 classification.

The record in the present matter establishes that the appellant's title is Senior Stock Clerk (A10). The appellant sought reclassification of his position, alleging that his duties were more closely aligned with the duties of a Supply Support Technician 2 (O12). The appellant is assigned to the Building and Administrative Service, Public Health Environmental and Agricultural Laboratories (PHEAL) Warehouses, and reports to Kevin Jennings, Supervising Management Improvement Specialist (V34). The appellant has no supervisory responsibility. The PHEAL Warehouse is responsible for storing, shipping and receiving specimens, supplies, *etc.*, for laboratories throughout the Department of Health, Department of Agriculture and Department of Environmental Protection. In support of his request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties that he performs. Agency Services reviewed and analyzed the PCQ completed by the appellant and all information and documentation submitted. Agency Services found that the appellant's primary duties and responsibilities entailed, among other things, coordinating warehouse services at the PHEAL Warehouse, receiving materials, supplies and equipment at the PHEAL Warehouse that is not designated to be assigned to inventoried storage areas and records in the proper receiving logs, ensuring same day delivery of perishable items and next day delivery on all items

received, checking shipments for quality, quantity, packing protections, *etc.*, to ensure compliance with initial order and health/safety practices, reorganizing shelving/stock as needed based on emerging priorities, stock surges, operational changes, *etc.*, maintaining an inventory system for all stock items in inventoried storage areas at PHEAL, performing regular inspection on stock benchmarks and expiration dates, purging aged stock following a first in first out structure, receiving, sorting, and delivering mail and ensuring deliveries meet proper deadlines according to type of mail, and preparing all materials for shipping. 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 Stock Clerk.

On appeal, the appellant highlights that he hires and trains temporary employees for about six months. Thereafter, he assigns and reviews their work daily. The appointing authority adds that the PHEAL receives, among other items, scientific equipment, reagents, and chemicals and the appellant is responsible for coordinating all received material for three Departments. This requirement enhances the health and safety protocols implemented due to the complementary and conflicting properties of the chemicals or other items stored. Additionally, the co-location for three separate Departments increases the complication factor related to the storage, reporting and distribution of supplies. Therefore, it argues that the risk and impact of error as well as overall accountability that is involved in the appellant's duties is greater than a Senior Stock Clerk's responsibility. The appointing authority indicates that the PHEAL is short-staffed by five full-time workers and the appellant's duties always require two employees. However, due to hiring strategies and budgetary issues, it has been prevented from hiring a second full-time person for this duty. Instead, it uses a combination of temporary employees and other warehouse employees, including supervisors, to fill the second position (the swing shift). Due to the appellant's skill set and being the subject matter expert, he is the "cross-trainer" of the warehouse staff on these duties and acts as the lead worker for the swing shift.

## 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 Senior Stock Clerk (A10) states:

Under supervision of a Supervising Stock Clerk or other supervisor in a State department, institution, or agency, either assumes the

responsibility for a designated section of a large supply unit or takes the lead over a small number of stock clerks engaged in receiving, unloading, unpacking, sorting, issuing, shipping, delivering, and recording equipment, materials, and supplies of varied types; does other related duties.

The definition section of the job specification Supply Support Technician 2 (O12) states:

Under supervision of a Supply Support Technician 1 or other supervisor in a State department, institution, or agency, assists in supervising the work programs and takes the lead among the staff of a unit or section involved in shipping, receiving, transporting, storage, stock rotation, pulling, checking, and loading of trucks for delivery of supplies and materials in a warehouse distribution center, maintenance service areas, or other complex installation with similar operations; does other related duties.

A review of the definitions for the job specifications for the two titles indicates that one main difference is that a Supply Support Technician 2 is a lead worker, while a Senior Stock Clerk may be a lead worker, but is not required to be one. 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).

The record indicates that the appellant leads three supervisors on an “as needed” basis as part of the swing shift. However, it is noted that the appellant is not leading these supervisors concerning higher-level duties. Instead, he is leading them regarding appropriate lower-level duties on an “as needed” basis due to the PHEAL being short staffed. Additionally, it is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed. As such, it is not inappropriate for a supervisor to perform out-of-title work on an as needed basis.<sup>1</sup> *See In the Matter of Patricia Anderson, et al.* (Commissioner of Personnel, decided June 27, 1996). Also, since the employees in

---

<sup>1</sup> It is appropriate for supervisors to perform non-supervisory lower-level duties on an “as needed” basis so long as the performance of these duties are not so frequent that these duties become a primary duty.

the A10 or equivalent level titles that the appellant leads report elsewhere based on the appointing authority's organizational chart/performance evaluations, the appellant is not acting as these employees' supervisors, thus, the appellant's leading these employees does not create an inappropriate relationship as they do not report to him. Instead, they are simply being led by the appellant in the required work in the PHEAL Warehouse "as needed." Additionally, while temporary appointments represent staffing that is fluid and subject to change, and a temporary employee may leave after their temporary employment period, this does not mean that they are not being led by the appellant on a regular and recurring basis during their time of employment. *See In the Matter of Virginia Stemler* (CSC, decided June 4, 2014). In this matter, the record supports this conclusion. In this regard, the appointing authority confirmed that the appellant is leading temporary employees. Moreover, as the PHEAL requires the appellant to always work with another individual to perform appropriate same or lower-level duties, whether these duties are performed by a supervisor, someone in an A10 or equivalent title, or a temporary employee, the appellant is acting as a lead worker over these individuals on a regular and recurring basis.

Finally, incumbents in the Senior Stock Clerk title work in a stockroom environment while incumbents in the Supply Support Technician 2 title work in a warehouse distribution center, maintenance service areas, or other complex installation with similar operations. In this matter, it is not disputed that the appellant works in a warehouse distribution center managing the inventory for scientific equipment and chemicals, among other items. Therefore, in accordance with *N.J.A.C. 4A:3-3.9(e)3*, the Commission finds that the appellant's position should be classified as a Supply Support Technician 2, effective October 27, 2018.<sup>2</sup>

### **ORDER**

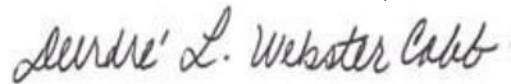
Therefore, it is ordered that this appeal be granted. It is further ordered that the appointing authority reclassify the appellant's position to Supply Support Technician 2, effective October 27, 2018.

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

---

<sup>2</sup> This agency received the classification appeal on October 9, 2018. The pay period immediately following 14 days after receipt of this matter began on October 27, 2018.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 12<sup>th</sup> DAY OF JUNE, 2019



Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

c: Greg Cavanagh  
Loreta Sepulveda  
Kelly Glenn  
Records Center