



STATE OF NEW JERSEY

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

In the Matter of Mary Beth Pecenak,
Department of Law and Public Safety

CSC Docket No. ~~2018-2567~~
2020-1619

Classification Appeal
(Corrected Decision)

ISSUED: AUGUST 12, 2020 (RE)

Mary Beth Pecenak appeals the 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 Senior Clerk Typist. She seeks a Technical Assistant job classification in this proceeding.

The appellant received a regular appointment to the title Senior Clerk Typist on August 26, 2005. In March 2019, she requested a classification review indicating that her title was not consistent with her duties and responsibilities. Agency Services conducted a review of the appellant's position including a review of submitted information, including her position classification questionnaire (PCQ), and determined that the position was properly classified as Senior Clerk Typist. Her position is assigned to the Juvenile Justice Commission, Johnstone Campus, is supervised by an Engineer in Charge of Maintenance 2, and has no supervisory responsibility.

On appeal, the appellant states that the title Senior Clerk Typist is inconsistent with her duties. She maintains that her duties exceed data entry, typing, and clerical tasks. Specifically, she states that she receives, reviews and processes overtime, unit purchasing, monthly department reporting, background checks, Child Abuse Record Information (CARI) checks, work orders and related maintenance information. She states that she responds to technical inquiries by phone which are not overly technical, researches contracts, ensures receipt of updated policies, procedures and directives, completes payroll and time balance accruals in the absence of her supervisor, and tracks and collects background and CARI checks.

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 Senior Clerk Typist states:

Under supervision, performs typing and other related clerical work requiring the exercise of independent judgment and a working knowledge of department rules, regulations, and policies, and/or has charge of the work of a small group of clerk typists, and/or has charge of the designated phase of the typing work of the department; does related work as required.

The definition section of the job specification for Technical Assistant states:

Under supervision of a supervisory official in a State department or agency or a local jurisdiction, performs technical functions in providing information and assistance in reviewing and verifying data of a routine nature; does other related duties.

A Senior Clerk Typist classification is used to classify those positions where the incumbent is required to perform clerical work involving the exercise of independent judgment and containing a relatively large proportion of difficult tasks, and which includes typing. Senior Clerk Typists perform such duties as reviewing, checking, and certifying reports, applications, and other documents for corrections; checking and verifying bills, vouchers, and statements; and receiving and checking applications. An incumbent Technical Assistant performs *technical tasks*, not clerical tasks, of a routine nature, reviews and verifies data as submitted on forms or applications, and follows up with an applicant or caseworker to obtain missing data, prepares requests for appropriate actions, processes related forms, and initiates follow-up actions. In addition, an incumbent Technical Assistant responds to less complicated inquiries and requests for assistance, screens and refers cases that involve technical issues to a higher authority for disposition, assists in the preparation of requests for appropriate actions, performs research, and prepares requests for appropriate actions, processes related forms, and initiates follow-up actions.

On her PCQ, the appellant indicates 25% of her time is spent receiving, logging, and tracking work order requests; 15% of her time is spent on inputting

proper timekeeping codes and related payroll duties; 20% of her time is spent answering calls, setting up interviews, assisting with computer issues and HelpDesk requests, transmitting emergent communications, and operating and maintaining office equipment and supplies; 5% of her time is spent processing and distributing mail. These are all clerical duties which comprise 65% of her time.

For the remaining 35%, the appellant provided a long narrative of many tasks, including sending out memos letters and emails, scheduling meetings and appointments, maintaining calendars, researching and providing information and assistance is directed, answering emails and correspondence, maintaining records and files, preparing and typing reports, compiling information for projects and events, typing and recording purchase order requests, providing information and documents, and updating files. Some of these tasks are very similar to those that the appellant listed in her appeal. However, some of this work is secretarial in nature, such as maintaining calendars, and most of work is clerical. If the appellant performs technical functions, it is ancillary to the clerical work.

Based upon a thorough review of the information presented in the record, it is clear that the duties of the position do not match, as a primary focus, the definition for Technical Assistant. 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. In making classification determinations, emphasis is placed on the definition section to distinguish one class of positions from another. The definition portion of a job specification is a brief statement of the kind and level of work being performed in a title series and is relied on to distinguish one class from another. On the other hand, the "examples of work" portion of a job specification provides typical work assignments which are descriptive and illustrative and are not meant to be restrictive or inclusive. *See In the Matter of Darlene M. O'Connell* (Commissioner of Personnel, decided April 10, 1992).

The main difference between these two jobs specifications is that the Technical Assistant performs routine *technical* functions, responds to less complicated inquiries, performs research for various projects or to supply information, communicates with others to carry out the objectives of the office, verifies completeness of information, updates a tracking system, processes forms, and deals with inquiries and provides assistance. While the appellant performs some of these functions, she does so at the level of receipt, verification and tracking information and data. Most of her duties involve office support, not carrying out the objectives of the office. The job specification for Technical Assistant refers to "research" to supply information, or receiving guidance from technical personnel to supply the needed information. "Research" means an investigation in order to discover or interpret

facts, or to revise accepted laws or theories. The information the appellant searches for and disseminates is not at the technical level. While she may respond to inquiries, those inquiries are for data or information. An example of response to a less complicated technical inquiry might be to determine and provide an applicable law or rule regarding a relatively simple situation. This response requires a higher level of reasoning than to provide information from documents or databases. The definition of the title Senior Clerk Typist describes the majority of the duties of this position. It is noted that 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).

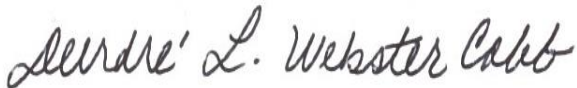
Accordingly, a thorough review of the entire record fails to establish that the appellant has presented a sufficient basis to warrant a Technical Assistant 3 classification of her position.

ORDER

Therefore, the position of Mary Beth Pecenak is properly classified as Senior Clerk.

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 29TH DAY OF JULY, 2020



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