

STATE OF NEW JERSEY

In the Matter of Andrea Buccelli,
Department of Labor and Workforce
Development

FINAL ADMINISTRATIVE ACTION
OF THE CHAIR/
CHIEF EXECUTIVE OFFICER
CIVIL SERVICE COMMISSION

CSC Docket No. 2026-1097

Classification Appeal

ISSUED: August 24, 2026 (SLK)

Andrea Buccelli appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of her position with the Department of Labor and Workforce Development is Vocational Rehabilitation Counselor 1, Deaf Language Specialist (Counselor 1). The appellant seeks a Vocational Rehabilitation Counselor 2, Deaf Language Specialist (Counselor 2) classification.

The record in the present matter establishes that the appellant's permanent title is Counselor 1. The appellant sought reclassification of her position, alleging that her duties were more closely aligned with the duties of a Counselor 2. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the duties that she performs as a Counselor 1. Agency Services reviewed and analyzed the PCQ, organizational chart, and her Performance Assessment Review (PAR). Additionally, it reviewed statements provided by the appellant and her immediate supervisor. In denying the request, Agency Services stated that the distinguishing duties of a Counselor 2 are making recommendations regarding agency policies and procedures, screening and assigning cases to lower-level counseling staff, developing and coordinating multi-service rehabilitations programs, and reviewing and providing suggestions for rehabilitation plans developed by lower-level counselors. However, Agency Services found that the appellant did not primarily perform any of these distinguishing duties.

On appeal, the appellant notes that she is pursuing a Master's degree in Rehabilitation Counseling. Additionally, she clarifies her PCQ to indicate that she offers technical assistance, training and assistance with the employment development process to not just "support staff," but to fellow counselors, including three newly hired counselors and a newly appointed rehabilitation aide. Therefore, the appellant contends that she is making recommendations regarding agency policies and leading lower-level counselors. Further, while the appellant acknowledges that she does not directly assign cases, she states that she assists with case direction and case management for lower-level or new counselors. The appellant explains how she develops and coordinates multi-level rehabilitation programs. Additionally, the appellant provides that on her PCQ, she stated that she offers "technical assistance, training, and provides colleagues with guidance, direction, and support regarding challenging cases" as evidence that she reviews and provides suggestions for rehabilitation plans developed by lower-level counselors. The appellant asserts that the complexity and scope of her caseload was not accurately reflected in the determination as she described in her PCQ. Moreover, the appellant states how her PCQ described other duties that align with a Counselor 2 classification. Furthermore, while the appellant acknowledges that she is not a supervisor, she contends that her mentoring and assisting of new counselors is evidence that she performs lead worker duties. Finally, the appellant summarizes her caseload management, technical leadership, multi-service coordination, client evaluation and counseling, programs evaluation, and outreach and referral duties and asserts how her PCQ described duties in these areas that align with a Counselor 2 classification.

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 Counselor 1 (P20, 65272D) job specification states:

Under the limited supervision of a supervisory official in a State department, institution, or agency, provides counseling services to a varied population of clients with disabilities and/or clients with hearing impairments requiring rehabilitative services over an extensive period of time; assists clients with disabilities in the process of selecting and obtaining the necessary training and related services for their vocational rehabilitation; assists clients and employers in obtaining suitable employment or employees; does other related duties as required.

The definition section of the Counselor 2 (P23, 65263D) job specification states:

Under the general supervision of a supervisory official in a State department, institution, or agency, provides counseling services to a varied population of clients with disabilities and/or clients with hearing impairments requiring rehabilitative services over an extensive period of time; assists clients with disabilities in the process of selecting and obtaining the necessary training and related services for their vocational rehabilitation; assists clients and employers in obtaining suitable employment or employees; handles a complex caseload of clients; applies judgment to daily problems and complex situations; makes recommendations regarding agency policies and procedures; may take the lead over lower-level counselors and provides technical guidance to staff; does other related duties as required.

In the present matter, a review of the job specification definition indicates that the distinguishing factors between the two titles are that Counselor 2s work under general supervision,¹ handle complex caseloads, makes recommendations regarding agency policies and procedures, and may take the lead over lower-level counselors and provide technical guidance to staff. However, Agency Services did not determine that the appellant's caseload was "complex." Moreover, in reviewing the appellant's immediate supervisor's comments, there is no indication that the appellant is primarily only handling "complex" cases. Further, Agency Services did not find that the appellant primarily made recommendations regarding agency policies and procedures and the appellant's PCQ does not indicate that this is one of her duties.

Additionally, although the job specification says "may," the key distinguishing factor between the two titles is that Counselor 2s are lead workers while Counselor 1s are not. 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 the work of the title series. *See In the Matter of Henry Li* (CSC, decided March 26, 2014). However, a review of the appellant's PCQ does not indicate that she assigns and reviews the work of specific named employees on a regular and recurring basis. Therefore, while the appellant may provide assistance, guidance, mentoring and training to other staff, she is not a lead worker. *See In the Matter of Loretta Creggett* (CSC, decided August 1, 2018) (The Commission found that the

¹ The appellant indicated on her PCQ that she worked under general supervision. Agency Services' determination does not discuss the type of supervision the appellant received.

appellant's training duties, without the responsibility of assigning and reviewing work of other employees on a regular and recurring basis, did not establish that the appellant was a lead worker). *See also In the Matter of Jackeline Egan* (CSC, decided December 1, 2021) and *In the Matter of Lily Hill* (CSC, decided December 1, 2021). Furthermore, regarding any argument that the appellant may be making that she provides technical assistance to staff, it is noted that the Counselor 2 job specification definition indicates that incumbents may take the lead over lower-level counselors **and** provide technical guidance to staff. Therefore, even if the appellant is proving technical guidance to staff, for her position to be classified as a Counselor 2, she would still need to be a lead worker.

Referring to any argument that the appellant is making that her job duties align with the Counselor 2 examples of work, 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.

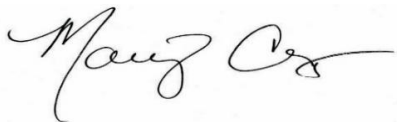
Accordingly, there is not a sufficient basis to disturb the determination that the appellant is properly classified as a Counselor 1.

ORDER

Therefore, it is ordered that this appeal be denied.

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

DECISION RENDERED BY THE
THE 14TH DAY OF AUGUST, 2026



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