



STATE OF NEW JERSEY

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

Classification Appeal

In the Matter of Alan Frazee,
Department of the Treasury

CSC Docket No. 2023-1466

ISSUED: February 17, 2023 (RE)

Alan Frazee appeals the decision of the Division of Agency Services (Agency Services) which found that his position with the Department of the Treasury is correctly classified as Technical Assistant 2. He seeks an Administrative Analyst 1 classification in this proceeding.

The appellant requested a review of his position as a Technical Assistant 2, the title to which he was regularly appointed on May 31, 2022. His position, located in the Department of the Treasury, Division of State Lottery Security, Audit and Licensing Unit, reports to a Supervisor Licensing Section, and has no supervisory responsibility. A classification review was conducted by Agency Services in response to the appellant's request for an audit of his position. Agency Services found, in its December 8, 2022 decision, that based on the primary duties of the appellant's position, his title is properly classified as Technical Assistant 2.

On appeal, the appellant argues that he assumed the duties formerly taken on by several Administrative Analyst staff members in Contract Support and Compliance. The appellant provides the following duties: enhances communication with outside suppliers, lottery vendors and retailer applicants, as well as streamlines and improves the approval of lottery applications as applications from the sales unit no longer have to proceed through Contract Support and Compliance en route to Licensing, thus disposing of additional steps in the direction of handling; collaborates with the sales team on a daily basis to enhance the precision of applications submitted; investigates and suggests methods to upgrade processes and remove inaccuracies on applications; cuts down errors on applications with

extra tasks; uses and continually updates a Monthly Planner, which helps in detecting issues and ascertaining that all lottery and legal obligations have been met; increases use of the Monthly Planner to help organize and decide which applications are ready for processing and which applications are deficient or have to be sent back to the vendor to amend mistakes; updates and uses the Monthly Planner to improve accuracy and expediency of the process; searches for opportunities to make suggestions for improvement of the process and use of the Monthly Planner; interacts with two outside vendors to arrange for training of lottery retailers, to prepare documents to coordinate the installation of lottery terminals, to assign passwords, and to streamline the Change of Ownership process; analyzes and finds ways to improve and update the process. These tasks comprise at least 50% of the day. Otherwise, the appellant has the following duties; processes applications and obtains approvals for each application, and performs background checks and verifies winning tickets.

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 the title Technical Assistant 2 states:

Under the limited supervision of a supervisory official in a State department, institution, or agency, performs complex technical duties and functions as an independent worker for prescribed technical projects or programs requiring the independent application of rules, regulations, policies, and procedures to varying situations within the particular area of assignment; does other related duties as required.

The definition section of the job specification for the title Administrative Analyst 1 states:

Under close supervision of an Administrative Analyst 4 or other supervisor in a state department, institution, or agency, assists as part of a team or task force in the review, analysis, and appraisal of current department administrative procedures, organization, and performance, and helps prepare recommendations for changes and/or revisions; does other related duties as required.

The duties listed in Agency Services' determination are a summary of primary duties rather than a word for word copy of what was listed in the PCQ. The intention of a classification determination is not to detail every facet of every duty, but to outline the primary focus of the position and to describe the major duties. The appellant listed 16 duties on his PCQ, one at 15% of his time, one at 13% of his time, one at 11%, and the remaining duties at 8%, 7% 5%, 3%, 2% and 1% of the time. For 15% of the time, the appellant retrieves results of criminal histories, attaches them to applications, and submits it for evaluation. For 13% of the time, he completes compliance reviews for applications to ensure they are ready for processing. For 11% of the time, he enters information in the database for completed applications. For 8% of the time, he enters new applications on preparation sheets, for 7% of the time he prepares new retailers on the activation of terminals, and for another 7% of the time, he prepares change of ownership retailers for activation of terminals. These duties amount to 61% of his time, and are technical duties and functions. These, and other duties performed for smaller amounts of time, such as monitoring dates of approval for 5% of the time, do not entail, as a primary focus, the review, analysis, and appraisal of current department administrative procedures, organization, and performance. The primary focus of this position is not that of the Administrative Analyst title series.

As to the appellant's claim that inherited duties from an employee in a higher title, a classification cannot be based on a comparison to the duties of other positions, especially if those positions are misclassified. *See in the Matter of Carol Maita, Department of Labor* (Commissioner of Personnel, decided March 16, 1995); *In the Matter of Dennis Stover, Middletown Township* (Commissioner of Personnel, decided March 28, 1996); *In the Matter of Lorraine Davis, Office of the Public Defender* (Commissioner of Personnel, Decided February 20, 1997), *affirmed*, Docket No. A-5011-96T1 (App. Div. October 3, 1998). The duties of the position must still match the definition of the title. The primary function of the position more closely matches the appellant's current title than the requested title.

A thorough review of the information presented in the record establishes that the appellant's position is properly classified as Technical Assistant 2, and he has not presented a sufficient basis to establish that his position is properly classified as Administrative Analyst 1.

ORDER

Therefore, the position of Alan Frazee is properly classified as Technical Assistant 2.

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

DECISION RENDERED ON
THE 16TH DAY OF FEBRUARY, 2023

Allison Chris Myers

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