



STATE OF NEW JERSEY

:
:
:
:
:
:
:
:
:
:
:

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

In the Matter of Teresa Kuntz,
Department of Law and Public Safety

CSC Docket No. 2023-753

Classification Appeal

ISSUED: February 17, 2023 (RE)

Teresa Kuntz requests enforcement of the decision of the Division of Agency Services (Agency Services) that the proper classification of her position with the Department of Law and Public Safety is Manager 3, Human Resources.

The appellant filed a request for a position classification review of her permanent title as Manager 2, Human Resources, and contended that her duties and responsibilities were commensurate with the title Manager 4, Human Resources. This request was received on April 22, 2022. The appellant is assigned to the Division of State Police, Office of Human Resources, reports to the Director, and has supervisory responsibilities. Agency Services reviewed all documentation supplied by the appellant including her Position Classification Questionnaire (PCQ), dated March 7, 2022, Performance Assessment Review (PAR) and organizational chart. In those submissions, it indicated that the appellant supervised a Manager 2, Human Resources, two Manager 1s, Human Resources and a Senior Management Assistant. Based on its review of the information provided, as well as the agreement of the parties regarding the duties, Agency Services concluded in a determination dated July 21, 2022, that the appellant’s position was properly classified as Manager 3, Human Resources, effective May 7, 2022. It did not include in its determination a consideration of the Manager 4, Human Resources title as the Division of State Police is not an autonomous agency. The appellant did not appeal that determination.

In her current request, filed in November 2022, the appellant argues that her title has not been changed. She explains that the Manager 3, Human Resources title was supported by the appointing authority at the time. She indicates that the unit was subsequently reorganized, and she provides addendums and a revised Table of Organization. On this organizational chart, she is responsible for the Classification and Compensation Unit and the Payroll Unit. It is noted that the other Manager 2, Human Resources handles the Benefits Unit, Personnel Management and Information Unit and Time and Leave Management Unit. On the original organizational chart, the appellant was also responsible for the Time and Leave Management Unit.

In response, the appointing authority states that the Office of Human Resources was reorganized, and in a meeting on March 3, 2022, it was indicated that the appellant's position would be Manager 2, Human Resources, and she would report to the appointing authority. The appellant then filed for a classification review of her position on March 7, 2022, and the reorganization became effective March 26, 2022. As such, the appointing authority argues that there were significant inconsistencies regarding the appellant's responsibilities, the Table of Organization, and the appellant's direct reports. The appointing authority explains that the Office of Human Resources in the Division of State Police consists of a Director, two Manager 2s, Human Resources, and two Manager 1s, Human Resources. The appointing authority states that the appellant is not responsible for directing numerous areas and that, while there are over 4,000 employees, three quarters of them are enlisted members and the appellant does not have any personnel responsibilities for them. It indicates that the appellant is responsible for classification and compensation, as well as payroll, for 1,300 civilian employees, and the Director has oversight of the areas and managers of the Office. It asserts that the appellant does not meet the eligibility requirements for Manager 3, Human Resources, and in September 2022, the appellant indicated that she did not wish to pursue the matter any further. Nevertheless, the appointing authority provides the appellant's revised PCQ and highlights some of the administrative duties that it maintains the appellant does not perform. It is noted that this PCQ was not requested or reviewed by Agency Services, does not include the percentage of time or order of difficulty for the new duties, and was signed by the appellant on November 22, 2022.

CONCLUSION

N.J.A.C. 4A:3-3.9(c) states, in pertinent part, that in State service, a classification petition by an employee or union representative shall specify the title that the petitioner believes is appropriate to the duties performed by the employee and explain how the duties at issue are more appropriate to the requested title than to the title in which the employee is currently serving. *N.J.A.C.* 4A:3-3.9(c)5i states, that where the agency representative, Commission representative, program

manager/division director, and petitioner are in agreement with the proposed title, the Commission representative shall issue an abbreviated decision letter.

The definition section of the job specification for the Manager, Human Resources title series states, in pertinent part:

A position in this category typically functions as a manager of an organizational unit; approves, evaluates, and compiles personnel action material; interprets applicable laws, policies, rules, and regulations; plans and designs organizational structures; provides technical advice to peers, management, and others; confers with administrators at policy-making levels; mediates problems that cannot be solved through other channels.

UNIQUE AND DISTINGUISHING TASKS/CLASSIFICATION FACTORS

Level 2

Under general supervision, serves as the chief personnel officer for a State department or agency employing less than 700 employees; or under the direction of a Manager 3, Human Resources (who serves as chief personnel officer), directs a major sub-element of the human resources program; or in a state department or agency, where the chief personnel officer is classified as a Manager, 4, Human Resources, directs the staff, supervised by personnel professionals, of three (3) or more human resource programs such as recruitment, benefits, payroll, personnel transactions, personnel orientation, employee relations, employee counseling, etc.; or serves as the chief of human resources in an institution or autonomous division employing more than 700 employees.

Level 3

Under general supervision, serves as the chief personnel officer for a State department or agency employing from 700 to 4,000 employees; or under the supervision of a Manager 4, Human Resources, directs a major sub-element of the human resource program.

Level 4

Under general supervision, serves as the chief personnel officer for a State department or agency employing more than 4,000 employees.

In the instant matter, Agency Services issued an abbreviated decision letter as the parties agreed to the appellant's duties and the requested Manager 3, Human Resources title after consultation with her supervisor at the time. Nonetheless, the

appellant listed duties and responsibilities on a PCQ that was submitted on March 7, 2022, after she was aware of a reorganization and before the reorganization was effective on March 26, 2022. Clearly, the appellant should have been aware of a change of duties, specifically, that the Time and Leave Management Unit would be moved to the supervision of the other Manager 2, Human Resources. The appointing authority requested that the appellant submit a revised PCQ, which was incomplete as it lacked percentages of time and order of difficulty for duties, and was signed on November 22, 2022, after Agency Services' determination on July 21, 2022. The classification of the position was based on the information submitted originally, and included agreement from the appointing authority at the time.


In any event, the appointing authority was aware that it could remove duties that resulted in the Manager 3, Human Resources title, and apparently did so, although the appellant's official record and compensation should reflect the period of time such duties and responsibilities were taken away. Nonetheless, this issue appears to be moot, as Agency Services determined that the effective date of her reclassification was May 7, 2022, over a month after the reorganization. With that said, the appellant has completed a revised PCQ, and those duties were not evaluated by Agency Services. Accordingly, Agency Services should re-review the classification of the appellant's position based on the revised PCQ after the appellant completes all requested information.

ORDER

Therefore, it is ordered that the request be denied, and Agency Services review the classification of the position encumbered by Teresa Kuntz consistent with this decision.

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

DECISION RENDERED ON
THE 16TH DAY OF FEBRUARY, 2023



Allison Chris Myers
Acting Chair/Chief Executive Officer
Civil Service Commission

Inquiries
and
Correspondence

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

c: Teresa Kuntz
Alyson Gush
Division of Agency Services
Records Center