

the appellant were consistent with the definition and examples of work included in the job specification for PSS3.³

On appeal, the appellant presents that her department decreased from five to two employees, which increased her responsibilities. She states that she currently assists in supervising the mail department by doing everything that a supervisor does except sign performance evaluations. The appellant asserts that she supervises several staff members and 12 federal work study student employees across two campuses. The appellant claims that a review of the Mail Services organization chart indicates that most of the employees that hold supervisory titles do not supervise other employees. Therefore, she argues that it does not make sense for the University to deny her reclassification request when she not only supervises the mailroom, but also supervises campus corporate vendors, who have multi-million-dollar contracts with the University. The appellant notes that in the Examples of Work in the job specification for PSS3, incumbents *may* assign and review the work of clericals, part-time, and/or student workers, which are lower level staff and students, and assign and monitor work of students and/or staff to identify problem areas and provide suggestions for improvement, which is a very general job duty and could mean a co-worker or students, and not a supervising role. However, the appellant highlights the job specification for AS2 and provides that she reports to an Executive Director and asserts that they together supervise all of Campus Services, which includes mail services, dining, the bookstore, and vending contract partners. She states that together, they review goals, policies, sales performance, and act as a liaison between vendors and the University. Additionally, the appellant indicates that she takes the lead on streamlining processes in the mailroom and will be “officially” responsible for other unit goals if the new reporting structure is approved.

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 PSS3 (P21) job specification states:

Under the direction of a Professional Services Specialist 2 or higher supervisory officer in the Administrative Services area at a state college,

³ The appeal file that this agency received does not actually have a determination from the University. However, the appellant indicates that although the University did not justify its decision, it determined that her title is appropriately classified as PSS2. The record does show the University reviewed the appellant’s PCQ and the appointing authority representative recommended that her appeal be rejected.

is responsible for independently performing professional work of greater difficulty using established policies, procedures, precedents, and guidelines; does related work as required.

The definition section of the AS2 (R24) job specification states:

Under the direction of a Director 2 or 3 in the Administrative Services area at a state college, oversees one or more sections of an organizational program or unit; or under the direction of a Director 1, is responsible for supervising one or more sections with one or more objectives; participates in the development and implementation of program or unit goals, policies and procedures; does related work as required.

In this present matter, a review of the job specifications indicates that one of the distinguishing characteristics between the two titles is that PSS3 is in the “P” employee relations group (ERG) while AS2 is in the “R” ERG. Employees who are in titles in the “R” ERG must be primary or first level supervisors. *See In the Matter of Joseph Seaman* (CSC, decided October 19, 2016); *In the Matter of Susan Sullivan* (CSC, decided October 19, 2016); *In the Matter of Sandra O’Neil* (CSC, decided October 19, 2016); *In the Matter of Marc Barkowski et al.* (CSC, decided October 19, 2016); *In the Matter of Joshua Brown, et al* (CSC, decided November 18, 2015) *aff’d on reconsideration* (CSC, decided October 19, 2016); *In the Matter of Art Eng* (CSC, decided November 18, 2015); *In the Matter of Dana Basile, et al.* (CSC, decided November 5, 2015) and *In the Matter of Alan Handler, et al.* (CSC, decided October 7, 2015). Therefore, the key difference between the two titles is that incumbents in the AS2 title are first level supervisors while incumbents in the PSS3 title are not.

A review of the appellant’s PCQ indicates that although the appellant stated that she occasionally supervises other employees, she also separately indicated that she does not supervisor other employees. More importantly, the appellant did not indicate that she supervises any specific employees on his PCQ. Further, on appeal, the appellant acknowledges that she does not sign the performance evaluations of any named employees. Therefore, the record indicates that the appellant is not a supervisor as defined by Civil Service. Further, concerning the appellant’s belief that she is a supervisor despite not signing performance evaluations, performance evaluation authority is a reasonable standard because it is the means by which it can be demonstrated that a supervisor can exercise his or her authority to recommend hiring, firing, and disciplining of subordinate employees. Simply stated, the actual authority and exercise of performance evaluation of subordinate staff is what makes a supervisor a supervisor. Performance evaluation of subordinates, and its myriad of potential consequences to the organization, is the key function of a supervisor which distinguishes him or her from a “lead worker.” *See In the Matter of Alexander Borovskis, et al.* (MSB, decided July 27, 2005). Also, the fact that her department’s staff decreased, which increased her responsibilities, does not signify that she is

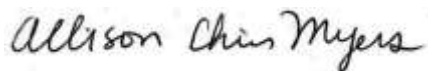
performing supervisory responsibilities. How well or efficiently an employee does his or her job, length of service, volume of work and qualifications have no effect on the classification of a position currently occupied, as *positions*, not employees are classified. See *In the Matter of Debra DiCello* (CSC, decided June 24, 2009). Additionally, the appellant's overseeing the mailroom or relationships with corporate vendors, without the responsibility for signing employee performance evaluations, does not make her position supervisory no matter how large the department or the corporate contract. Similarly, taking the lead on streamlining processes in the mailroom is not considered a supervisory duty without performance evaluation responsibility. Moreover, concerning the appellant's belief that she co-supervises various areas that fall under Campus Services with Garrison, while the appellant may work closely with Garrison and have significant input in overseeing Campus Services, Garrison is the one with performance evaluation responsibility.

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 6TH DAY OF JULY, 2023



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