



STATE OF NEW JERSEY

In the Matter of Genia Clark,
Judiciary

CSC Docket No. 2023-1837

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

Classification Appeal

ISSUED: June 27, 2023 (SLK)

Genia Clark appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of her position with the Judiciary is Judiciary Clerk 3 (JC3). The appellant seeks a Judiciary Clerk 4 (JC4) classification.

The record in the present matter establishes that the appellant's permanent title is JC3. The appellant sought reclassification of her position, alleging that her duties were more closely aligned with the duties of a JC4. The appellant reports to Nancy Nocella, Court Services Supervisor 1. In support of her request, the appellant submitted an Employee Reclassification Request (ERR) detailing the duties that she performs as an JC3.¹ Agency Services reviewed and analyzed the information in the ERR and all information and documentation submitted including a Job Information Questionnaire (JIQ) and statements from her supervisor and Division Manager. In its decision, Agency Services determined that the duties performed by the appellant were consistent with the definition and examples of work included in the job specification for JC3.

On appeal, the appellant describes what she feels is unfair treatment by the Judiciary which has stalled her career progression. She questions the validity of the JIQ. She lists the duties that she currently performs, which she believes are JC4 duties.

¹ The appellant did not submit a Position Classification Questionnaire. However, the information in the ERR provides similar information that is found in a Position Classification Questionnaire.

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 Level 3-Journey (JC3 and Judiciary Account Clerk 2) job specification states:

Employees at this level perform journey level clerical functions in support of the business operations of the Judiciary. May be assigned to a courtroom to serve as a court clerk.

The definition section of the Level 4 – Mastery/Paraprofessional (JC4, Clerk to Grand Jury and Administrative Specialist 1) job specification states:

Employees at this level act as lead workers and perform paraprofessional and mastery level clerical functions in support of the business operations of the Judiciary. May be assigned to a courtroom to serve as a court clerk.

In this matter, a review of the job specifications indicates that the primary distinguishable characteristic between the two titles is that JC4s act as a lead worker while JC3s do not. Under Civil Service, 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 work of the title series. *See In the Matter of Henry Li* (CSC, decided March 26, 2014).

In reviewing the appellant's ERR, she indicated that the main substantive changes to her assigned duties were that she cross-trains co-workers, records notes for other divisions, works on various hearings, coordinates with management, backs-up a Secretary and Court Clerk 4 for the Assignment Judge and Presiding Judge in the Civil Division, and currently works for the Presiding Judge in the Civil Division. Nocella indicated on the appellant's ERR that the appellant does not monitor the work product of colleagues nor does she maintain a calendar or coordinate work for


staff. In other words, the record does not indicate that the appellant acts as a lead worker because she does not train, assign and review the work of specific named employees on a regular and recurring basis. Cross-training varying personnel is not the same as being a lead worker who has the responsibility of leading the performance of specific named employees. Concerning any belief that the appellant has made indicating that she performs Level 4 tasks as indicated in the job specification, 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 tasks portion of a job description 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). Therefore, the appellant's position is properly classified as a JC3.

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 27TH DAY OF JUNE, 2023



Allison Chris Myers
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: Genia Clark
Jack Konathappally

Christina Blum
Darlene Hammer
Division of Agency Services
Records Center