



STATE OF NEW JERSEY

In the Matter of
Keira McRae-Wiggins,
Department of Law and Public Safety

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

CSC Docket No. 2023-1514

Classification Appeal

ISSUED: March 14, 2023 (RE)

Keira McRae-Wiggins appeals 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 Auditor 3. She seeks an of Administrative Analyst 4 classification.

By way of background, the appellant submitted a request for classification review arguing that her duties were not consistent with her permanent title of Auditor 3. In support of that request, the appellant provided a Position Classification Questionnaire (PCQ) detailing the duties she performs in the position. Agency Services reviewed and analyzed the PCQ, as well as other information and documentation provided. The appellant is assigned to the Department of Law and Public Safety, Division of Criminal Justice, Office of the Insurance Fraud Prosecutor, Medical Fraud Control Unit, reports to a Deputy Attorney General, and has no supervisory responsibility. In its December 29, 2022 decision, Agency Services found that the duties performed by the appellant were consistent with the definition and examples of work included in the job specification for Auditor 3.

On appeal, the appellant argues that for 60 to 80% of her time, she conducts complex claims analysis, reviews and makes recommendations for data request reports, identifies area of investigation, supervises and coordinates audits, prepares training materials, and develops query report requirements. She states that she performs duties identical to another employee who is an Administrative Analyst 4.

The appellant also argues that her data mining duties increase effectiveness and efficiency of operations for the unit.

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 Auditor 3 states:

Under direction of a supervisory official in a State department, institution, or agency performs duties of significant difficulty and/or supervises staff and work activities of a major auditing unit engaged in professional audits of private corporations, state government, or local school districts; prepares and signs official performance evaluations for subordinate staff; does other related duties as required.

The definition section of the job specification for Administrative Analyst 4 states:

Under the general supervision of a supervisory official in a State department, institution or agency, performs duties of significant difficulty and/or supervises staff involved with the review, analysis, and appraisal of current department administrative procedures, organization, and performance and prepares recommendations for changes and/or revision therein; supervises staff and work activities; prepares and signs official performance evaluations for subordinate staff; does other related duties.

Incumbents in the Administrative Analyst title series review, analyze and appraise systems in order to determine recommendations for changes and improvements. They do such things as review department programs/activities and evaluate their administration, objectives, efficiency, effectiveness, and suitability to current conditions, costs, and accomplishments; determine whether department activities/programs are essential to good government and are carried out economically and efficiently; appraise the adequacy and effectiveness of operating systems; plan, conduct and develop analytical studies of operations for various areas; provide policy assistance to operating personal; develop and prepare budgets; and install reporting systems for assessing agency performance. In short, incumbents are involved in the *overall* operational analysis of a specialized area in the organization with the direct responsibility for the recommendation, planning, or

implementation of improvements for the agency as a result of such analysis. *See In the Matter of Maria Jacobi* (MSB, decided June 8, 2005).

The use of occupational group categorizations, as recognized by the United States Department of Labor, was determined to be a reasonable and objective method for identification of job similarities as required by *N.J.A.C.* 4A:8-2.1 title rights criteria and the same criteria are uniformly applied to all titles in the State Classification Plan. Agency Services uses the Dictionary of Occupational Titles as a starting point for the development of 39 broad occupational groupings to enable the appropriate categorization of State job titles, which were customized to account for the uniqueness of occupations in the Civil Service. Additionally, job specifications were used for the basis for the categorization into occupational groups. The Auditor 3 title belongs in Occupational Group 0/1 (Occupations in Professional/Technical/Managerial) and in Family 15 (Occupations in Financial Specializations). Titles in this family are concerned with, in pertinent part, occupations which involve working in a specific discipline, such as auditing. The Administrative Analyst 4 belongs in Occupational Group 0/1 (Occupations in Professional/Technical/Managerial) and in Family 16 (Administrative Specializations). Titles in this family are concerned with, in pertinent part, a variety of professional administrative specializations related to *internal operations* and supporting agency goals and objectives involving utilization of new resources other than fiscal, such as formulating and recommending policies and administering programs; human resources management and labor relations; and program compliance review. Thus, these titles have dissimilar duties and responsibilities.

The appellant describes her primary duties as conducting complex claims analysis, reviewing and making recommendations for data request reports, identifying areas of investigation, supervising and coordinating audits, preparing training materials, and developing query report requirements. These duties fall squarely in the definition of Auditor 3. The primary focus of this position is not administrative, regardless of how complex or specialized the duties are. The position focuses on the work of the unit to achieve organizational objectives, and not on administrative work which improves the functioning of the unit. While a small percentage of her duties may fall within the Administrative Analyst realm, the primary focus of her duties is clearly in performing Auditor 3 duties.

As to the duties of another employee, classification appeal cannot be based solely on a comparison to the duties of another position, especially if that position is 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). *See also, 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). Moreover, evidence of misclassification of another position provides no

entitlement to reclassification. To find so would be to perpetuate such misclassification.

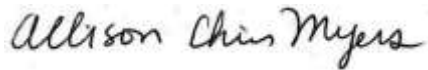
A thorough review of the information presented in the record establishes that the appellant has not presented a sufficient basis to establish that her position is properly classified as Administrative Analyst 4.

ORDER

Therefore, it is ordered that this appeal be denied.

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

DECISION RENDERED ON
THE 14TH DAY OF MARCH, 2023



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

Inquiries
and
Correspondence

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

c: Keira McRae-Wiggins
Danielle Amari
Division of Agency Services
Records Center