



STATE OF NEW JERSEY

In the Matter of Ann Teach,
Department of the Treasury

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

CSC Docket No. 2023-2243

Classification Appeal

ISSUED: October 3, 2023 (HS)

Ann Teach appeals the determination of the Division of Agency Services (Agency Services) that her position with the Department of the Treasury was properly classified as a Technical Assistant. The appellant seeks a Technical Assistant 2 or Technical Assistant 1 Treasury job classification in this proceeding.

The record in the present matter establishes that at the time of the request for a position review, the appellant was serving permanently in the title of Senior Clerk. Her position was located in the Division of Pensions and Benefits, Health Benefits Policy and Planning. The appellant reported to Joyce Malerba, Senior Executive Service. The appellant sought a Technical Assistant 2 job classification before Agency Services. Agency Services received the request on January 23, 2023 and reviewed the appellant's Position Classification Questionnaire, Performance Assessment Review form, and organizational chart. Agency Services found that the primary responsibilities of the appellant's position included updating member information in Benefitsolver to ensure that State submission of 1095-B/C tax forms match Internal Revenue Service records in accordance with the Patient Protection and Affordable Care Act; processing Department of Banking and Insurance inquiries and complaints from members and forwarding to health or prescription carriers for resolution; auditing and correcting various member discrepancies provided by the SSDC Medicare Audit; preparing a brief overview of complaints and forwarding to the health or prescription carrier for resolution; and processing Disabled Dependent

program enrollment.¹ Agency Services indicated in its determination that other titles were reviewed for consideration. However, it ultimately determined that the assigned duties and responsibilities of the appellant's position were properly classified by the title Technical Assistant, but they did not elevate the position to Technical Assistant 2.

On appeal, the appellant maintains that reclassification of her position to Technical Assistant 2 was warranted. She contends that many of the duties she performs require more advanced approaches and that she works on program appeals that can be very complex. The appellant maintains that while some of the inquiries to which she responds are not complicated, others are. She represents that the positions of the last three employees to manage the Disabled Dependent program were classified by the title Pensions Benefits Specialist 1 or higher. The appellant also questions whether her college transcripts were considered and provides them on appeal. Further, while the appellant acknowledges that she strongly felt that Technical Assistant 2 was the most appropriate title for her position at the time she filed her position review request, she states her current belief that Technical Assistant 1 Treasury is most appropriate for her position. Citing the language in Agency Services' determination noting that other titles were reviewed for consideration, the appellant questions whether Technical Assistant 1 Treasury was among those other titles reviewed.²

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 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.

¹ Per the Position Classification Questionnaire, 25% of the duties of the position were clerical.

² The appellant also points out that Agency Services quoted the definition section of the job specification for Technical Assistant 2 incorrectly in its determination. For the reasons discussed below, the error is immaterial.

The definition section of the job specification for Technical Assistant states:

Under supervision of a supervisory official in a State department or agency or a local jurisdiction, performs technical functions in providing information and assistance in reviewing and verifying data of a routine nature; does other related duties.

A review of the job specifications for both titles reveals that, though similar, the Technical Assistant 2 title performs complex technical duties and functions, while the Technical Assistant performs routine technical functions. Thus, the question herein is whether the duties of the appellant's position rose to the level of those of a Technical Assistant 2. While it is not uncommon for an employee to perform some duties that are above or below the level of work that is ordinarily performed, classification determinations are based on the *primary functions* assigned to the position. Here, the duties of the appellant's position did not have, as the primary focus, the duties listed in the definition section of the job specification for Technical Assistant 2. Specifically, there was no evidence before Agency Services that the appellant's position *predominantly* focused on technical duties and functions of such complexity that the position should be elevated to Technical Assistant 2. While the appellant calls attention to other employees whose positions were classified by the title Pensions Benefits Specialist 1, a classification appeal cannot be based on a comparison to the duties of another position. *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). The appellant's college transcripts, which she highlights, are not relevant here. In this regard, an employee's 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).

Citing Agency Services' indication that other titles were reviewed for consideration, the appellant also questions whether Technical Assistant 1 Treasury was considered. The definition section of the job specification for that title states:

Under the direction of a Technical Assistant 2, Treasury or other supervisory official in the Department of the Treasury, or, in the Lien Section, Office of the Public Defender collects, reviews and verifies data from forms, claims, applicants, returns, assessments, proposals, and error listings, determines the completeness and accuracy of information, benefits, and/or liability reported or calculated; makes routine eligibility, award, and liability determinations and calculations; does related work.

A Technical Assistant 1 Treasury typically reviews and verifies reported data to determine underpayment, overpayment, or eligibility to ensure that computations are in accordance with applicable State statutes and regulations; calculates and authorizes payment for liabilities, benefits, and/or awards; confers and/or corresponds with the officials, members of the public, and/or their representatives to obtain required documents to determine benefits, liabilities, claims, or refunds; reviews account status prior to processing claims, applications, proposals, or the payment of benefits; authorizes and/or initiates the processing of benefit payments, bid awards, and/or the preparation and issuance of assessments for any underpayment, penalty, or interest due. Agency Services confirms that Technical Assistant 1 Treasury was considered but that the duties of the appellant's position did not align with the title because the duties did not include calculating or issuing payments. Agency Services also highlights that a Technical Assistant 1 Treasury does not perform clerical duties, but 25% of the duties of the appellant's position were clerical. Given the record before Agency Services and the job specification for Technical Assistant 1 Treasury, there is no basis to disturb Agency Services' determination as to the appropriateness of that title.

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 ON
THE 2ND DAY OF OCTOBER, 2023

Allison Chris Myers

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Chair/Chief Executive Officer
Civil Service Commission

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