



STATE OF NEW JERSEY

In the Matter of Catherine
Tomasovic, Department of Law and
Public Safety

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

CSC Docket No. 2023-2310

Classification Appeal

ISSUED: October 5, 2023 (HS)

Catherine Tomasovic appeals the determination of the Division of Agency Services (Agency Services) that her position with the Department of Law and Public Safety (LPS) was properly classified as a Technical Assistant 2. The appellant seeks a Technical Assistant 3 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 Administration, Facilities/Support Services. The appellant reported to Michael Preisig, Assistant Chief, Occupational Safety. Agency Services received the request on April 8, 2022 and reviewed the appellant's Position Classification Questionnaire, where the appellant indicated that her position received limited supervision; Performance Assessment Review form; and organizational chart. Agency Services found that the primary responsibilities of the appellant's position included independently administering the LPS permit parking program and analyzing LPS parking data to identify and resolve problem areas according to standard operating procedures; tracking and monitoring building maintenance issues and providing overall assistance with building and support services for LPS divisions; maintaining a tracking system for the parking program, rail pass program, and loaner vehicle invoices and work orders; maintaining a log of parking violations and tracking repeat offenders to ensure compliance with permit parking rules and policies; running reports for Human Resources and the Attorney General's Administrator for sensitive, discrete personnel investigations using the Department of the Treasury's Access database; maintaining Office of Attorney

General (OAG) Asset database; receiving and processing special parking requests and coordinating with the State Police and security team to ensure proper procedures are followed to handle VIPs; independently consulting with State Police when needed for parking incidents or accidents and assembling necessary information to report to Risk Management; making recommendations for updates to the vehicle database to improve workflow of assignments; investigating *E-ZPass* violations for payment and following up with *E-ZPass* as needed; and coordinating and updating emergency regulations and procedures for the Continuity of Operations Plan and distributing to essential OAG and LPS staff. Agency Services ultimately determined that the assigned duties and responsibilities of the appellant's position were properly classified by the title Technical Assistant 2 because the majority of duties were more complex and technical in nature. However, the duties did not elevate the position to Technical Assistant 3 because the position did not function as a team leader.

On appeal, the appellant maintains that reclassification of her position to Technical Assistant 3 was warranted. She points out that per the definition section of the job specification for Technical Assistant 3, a position need not function as a team leader to warrant such classification. Specifically, an incumbent may independently, under general supervision, review, analyze, and make effective recommendations for actions involving a specific element of a regulatory or administrative program requiring the application of rules, regulations, policies, procedures, and/or technical concepts. The appellant insists that her position fits within this aspect of the definition.

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.

The definition section of the job specification for Technical Assistant 3 states:

Under the general supervision of a supervisory official in a State department, institution, or agency, takes the lead over the technical and/or clerical staff and has responsibility for the work programs of an identifiable technical unit responsible for reviewing, monitoring, and processing specific actions requiring the application of rules, regulations, policies and/or procedures, or independently, under general supervision, reviews, analyzes, and makes effective recommendations for actions involving a specific element of a regulatory or administrative program requiring the application of rules, regulations, policies, procedures, and/or technical concepts; does other related duties as required.

As the appellant's position did not take the lead, the second half of the definition for Technical Assistant 3 must be reviewed. That is, did the appellant independently, under general supervision, review, analyze, and make effective recommendations for actions involving a specific element of a regulatory or administrative program requiring the application of rules, regulations, policies, procedures, and/or technical concepts? The appellant indicated on the PCQ that her position received limited supervision. The position review found that the primary responsibilities of the position included administering permit parking; maintaining a tracking system for the parking program, rail pass program, and loaner vehicle invoices and work orders; and receiving and processing special parking requests and coordinating with the State Police and security team to ensure proper procedures are followed to handle VIPs. Such duties did not rise to the level and scope of the Technical Assistant 3 definition and fell squarely within the definition for Technical Assistant 2. Accordingly, a review of the record fails to establish that the appellant has presented a sufficient basis to warrant a Technical Assistant 3 classification of her position.

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 5TH DAY OF OCTOBER, 2023

Allison Chris Myers

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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: Catherine Tomasovic
Danielle Amari
Division of Agency Services
Records Center