



**STATE OF NEW JERSEY**

In the Matter of Ruth Liu,  
Department of Law and Public Safety

CSC Docket No. 2024-61

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

Classification Appeal

**ISSUED: October 3, 2023 (SLK)**

Ruth Liu appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of her position with the Department of Law and Public Safety (L&PS) is Investigator 2, L&PS (Investigator 2). The appellant seeks an Investigator 3, L&PS (Investigator 3) classification.

The record in the present matter establishes that the appellant's permanent title at the time she requested a position classification review was Investigator 1, L&PS (Investigator 1). The appellant sought reclassification of her position, alleging that her duties were more closely aligned with the duties of an Investigator 3. The appellant reports to Jennifer Micco, a Chief Investigator L&PS.<sup>1</sup> In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the duties that she performed as an Investigator 1. Agency Services reviewed and analyzed the PCQ, and all information and documentation submitted, including an organization chart and Performance Assessment Review (PAR). Agency Services found that the appellant's primary duties and responsibilities entailed, among other things: processing consumer complaints, requesting additional information as needed and providing updates in a timely fashion; organizing and tracking consumer complaints in Consumer Tracking System and Microsoft Excel, reviewing and analyzing all related documents in preparation for litigation; preparing reports of investigation using various databases; and conducting field work including site visits and serving legal documents. In its decision, Agency Services

<sup>1</sup> Micco's position at the time of the classification review was Supervising Investigator L&PS.

determined that the duties performed by the appellant were consistent with the definition and examples of work included in the job specification for Investigator 2.

On appeal, the appellant presents that she is assigned to the Financial Fraud Complex Investigations Unit. She indicates, as stated in her PCQ, that her case load is in the Attorney General's top priority cases. The appellant provides that she independently works on complex and sensitive investigations involving thousands of consumers. She describes her duties as lead investigator as including, but not limited to: serving bank subpoenas and reviewing the bank's responses; conducting in-depth financial reviews of both the business and the consumers' submitted proofs, which include mortgage statements and/or a company's financial bookkeeping; transcribing phone calls; determining settlement amounts; negotiating settlements with counsel; and keeping consumers informed as to the status of their complaints. The appellant notes that she was the lead investigator assigned to Financial Services for America and Freedom Mortgage, which are two of the largest and most complex financial settlements.

Additionally, the appellant provides that she assists Deputy Attorney Generals on other complex and sensitive investigations. She presents that in this capacity, her duties involve conducting witness interviews, researching individuals and corporations, organizing data, and providing investigative reports of her findings. Further, she meets with Deputy Attorney Generals and the Acting Director of the Division of Consumer Affairs to discuss her findings. Moreover, she participates in sensitive investigations which require confidentiality and are sometimes undercover. The appellant notes that she regularly travels statewide to conduct inspections and serve legal documents, which many times results in administrative action. She indicates that she has conducted inspections on multiple taskforces including the Watercraft/Marine Task Force, Health Club Task Force, Autobus Task Force, Project Medicine Drop Initiative, and Safe Summer Initiative. The appellant explains that the purpose of these task forces, include but are not limited to, ensuring compliance with the Bill of Rights for Consumers of Certain Autobuses Act, inspecting to see if there are violations of Deceptive Practice Law, and enforcing the Consumer Fraud Act.

## 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 Investigator 1 (P18) job specification states:

Under close supervision of a Supervising Investigator or under the guidance of an Investigator 4 or other supervisory official in the Department of Law and Public Safety, assists in regulatory audits and inspections of licensed premises; reviews records, files, financial statements, and other transactions to determine compliance with rules or regulations governing consumer protection laws; conducts, under close supervision, civil and regulatory investigative activities or specialized investigations to detect alleged noncompliance with or violations of New Jersey state statutes, administrative codes, or Professional Rules of Conduct or consumer protection laws; does other related work as required.

The definition section of the Investigator 2 (P20) job specification states:

Under limited supervision of a Supervising Investigator or under the guidance of an Investigator 4 or other supervisory official in the Department of Law and Public Safety, performs regulatory audits and inspections of licensed premises; reviews records, files, financial statements, and other transactions to determine compliance with rules or regulations governing consumer protection laws; conducts, under guidance of a team leader, civil and regulatory investigative activities or specialized investigations to detect alleged noncompliance with or violations of New Jersey state statutes, administrative codes, or Professional Rules of Conduct or consumer protection laws; performs other related duties required.

The definition section of the Investigator 3 (P23) job specification states:

Under general supervision of a Supervising Investigator or other supervisory official in the Department of Law and Public Safety, conducts in depth regulatory and administrative audits and inspections of licensed premises; reviews records, files, financial statements, and other transactions to determine compliance with rules or regulations governing consumer protection laws; conducts complex investigations, performs other confidential and sensitive civil and regulatory investigative activities or specialized investigations to detect alleged noncompliance with or violations of New Jersey state statutes, administrative codes, Professional Rules of Conduct, or consumer protection laws; performs other related duties required.

A review of the job specifications for the above-mentioned titles indicates that Investigator 1s work under close supervision and assist in investigations, Investigator 2s work under limited supervision to conduct investigations, and Investigator 3s work under general supervision to conduct complex investigation.

Initially, it is noted that a review of the appellant's PCQ does not clearly indicate that the duties that she performs are complex. Regardless, while it is noted that the level of difficulty of tasks performed vary between the titles, it can be challenging to make this determination. Therefore, the key distinguishing characteristic in determining the classification in the Investigator series is the level of supervision that the incumbent works under.

Close supervision is defined as work that is performed according to detailed instructions and supervision is available in short-term notice. Limited supervision is where an incumbent proceeds on his/her own initiative while complying with policies, practices and procedures prescribed by supervisor. The supervisor generally answers questions only on the more important phases of the work. General supervision is work that is performed independently. The incumbent seldom refers matters to a supervisor except for clarification of policy. While the appellant stated on her PCQ that she works independently, she provides no details. Regardless, a review of the appellant's PCQ indicates that her supervisor stated that the appellant, "works independently and requires little to no oversight once being told and trained on how to move forward with her case load." In other words, the appellant works under limited supervision, as she works independently only after given direction from her supervisor. Therefore, the appellant's position is properly classified as Investigator 2.

### **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 25<sup>TH</sup> DAY OF SEPTEMBER, 2023



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Chair/Chief Executive Officer  
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and  
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