



STATE OF NEW JERSEY

In the Matter of C.B., Borough of
Fort Lee

CSC Docket No. 2025-2679

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

Classification Appeal

ISSUED: September 5, 2025 (SLK)

C.B. appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of his position with the Borough of Fort Lee (Borough) is Maintenance Repairer. The appellant seeks a Senior Maintenance Repairer classification.

The record in the present matter establishes that the appellant's permanent title is Truck Driver. The appellant sought reclassification of his position, alleging that his duties were more closely aligned with the duties of a Seniority Maintenance Repairer. In support of his request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the duties that he performed as a Laborer 1, which was his title at the time he completed the PCQ in February 2024. Agency Services reviewed and analyzed the PCQ, conducted phone interviews with the appellant and the Department Head, and reviewed other information and documentation submitted.

Agency Services presented that the appellant indicated that his primary duties and responsibilities entailed, among other things, maintaining and repairing sheetrock and structural framing; performing electrical tasks including minor wiring and fixture work; maintaining and repairing HVAC systems; plumbing installation, repair, and rerouting; demolishing and installing full bathrooms, including fixtures and tiling; spackling, sanding, priming, and painting of interior and exterior surfaces; demolishing and finishing concrete; repairing roofing and small-scale foundation work; and installing and repairing cabinetry, countertops, and flooring.

Additionally, Agency Services provided that the appellant's supervisor indicated that the appellant's primary duties were loading, lifting and moving supplies, furniture and equipment; digging trenches and performing manual grading; cleaning incinerators and collecting rubbish and other refuse; loading and unloading trucks; placing forms used in concrete work and performing cold patching; operating construction and/or maintenance equipment, prying and hammering apart sections of walls and roofs; loading construction debris into trucks for removal; sorting, piling and cleaning salvageable bricks, stones, lumber, and metal; and under direction, may learn to make routine repairs to valves, fittings, pipe sections, or other equipment.

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 Maintenance Repairer, with an effective date of January 9, 2025.

On appeal, the appellant states that for 10 years, he has been installing and maintaining HVAC systems, performing plumbing and minor electrical work, and other Senior Maintenance Repairer duties. He indicates that he helps and teaches other employees on the job. The appellant submits a text from his supervisor to demonstrate that his supervisor stated that he did not fill out that information, and to support his assertion that the appointing authority is lying to keep him out of a position that he deserves. The text exchange between the appellant and his supervisor indicates that he stated, "I don't know if you notice but that from the civil service site. . . I didn't write that" Further, the supervisor texted, "[t]he report that I wrote is on the sheet that you gave me"¹

The appellant also submits a statement from A.B., who states that he supervised the appellant from 2015 to 2021.² He describes that HVAC systems work, major plumbing, carpentry, masonry, and other repair work were duties that the appellant performed. Further, he states that the appellant worked on his own in 2015, and he instructed helpers in 2016. Additionally, the appellant submits a statement from a coworker who states that he has worked with the appellant for 15 years. He indicates that the appellant has performed many out-of-title duties including HVAC, plumbing, electrical work, and he worked side-by-side with the appellant performing carpentry, masonry, and other maintenance and repair work.

In response, the appointing authority provides that it is not presenting additional information. However, it notes that it disagrees with the assertion that "the town is lying to keep me out of a position that I deserve." The Borough

¹ The record is unclear as to what the appellant's supervisor is referencing. It may be that the supervisor is stating that he did not submit the appellant's duties as indicated in the determination letter as those duties are listed as examples of work as a Laborer 1, which was the appellant's title at the time he submitted the PCQ.

² Agency records indicates that A.B. may have retired in 2020, and he served as a Senior Maintenance Repairer with the Borough and not in a supervisory title.

Administrator states that he confirmed that the appellant's supervisors stand by the truthfulness of their original statements.

In reply, the appellant reiterates that over the past 10 years, he has consistently performed a wide range of maintenance and repair duties. He explains that his experience encompasses HVAC, plumbing, carpentry, electrical, masonry, and other assigned tasks. The appellant highlights the recommendations from his prior supervisor and current coworker as well as the text message exchange from his current supervisor stating that he did not write the prior information and affirming that the appellant would make an excellent Senior Maintenance Repairer.

The appellant asserts that he has played a significant role in training many colleagues within his department. He indicates that he has performed major and minor projects independently. For example, the appellant provides that he led the gutting and full renovation of most bathrooms in the Borough buildings, which involved autonomous decision making and coordinating helpers to successfully complete the tasks. Concerning the appointing authority's statement that his supervisors were being honest with his reports, he notes that M.M. is not his direct supervisor, and he only sees him twice a month. Further, the appellant claims that when he handed his direct supervisor the initial paperwork to sign, he gave it to the appointing authority who gave it to the "lawyers," and his supervisor was not allowed to sign it. He asserts that it took many months and his union's involvement to send out the job classification questionnaire.

The appellant indicates that for six years, he was a HVAC technician³ for the Borough, before that title was revoked since he did not possess a commercial driver's license (CDL) at that time. However, he presents that he obtained his CDL two years ago, but the title of HVAC technician has not been reinstated.

Finally, the appellant questions why the retroactive date of his position reclassification was not set back to July 22, 2024, when he submitted his position classification review request.

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

³ Agency records indicate that prior to his appointment to the noncompetitive titles of Truck Driver and Laborer 1 on July 15, 2024, and January 24, 2023, respectively, the appellant was appointed provisionally, pending open competitive examination procedures, as a Heating and Air Conditioning Mechanic, effective January 1, 2017, and then received a regular appointment to that title on August 12, 2019.

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 Maintenance Repairer job specification states:

Under direction performs a variety of routine maintenance and repair tasks involved in masonry, plastering, carpentry, painting, plumbing, steamfitting, sheet metal, electrical, glazing, mechanical, and/or other types of maintenance work; does related work.

The definition section of the Senior Maintenance Repairer job specification states:

Under direction, performs a variety of the more complex maintenance and repair tasks involved in masonry, plastering, carpentry, painting, plumbing, steamfitting, sheet metal, electrical, glazing, mechanical, or other types of maintenance work and may take the lead in a small maintenance unit; does related work.

In this matter, a review of the definition sections for the job specifications for Maintenance Repairer and Senior Maintenance Repairer indicates that the differences between the two titles are that Senior Maintenance Repairers perform “more complex” maintenance and repair tasks and may be lead workers while Maintenance Repairers perform “routine” maintenance work and are not lead workers.

Initially, it is noted that, neither on the appellant’s PCQ nor on appeal, does the appellant present specific named employees that he trains, assigns, and reviews the work of on a regular and recurring basis. Therefore, the appellant is not a lead worker under Civil Service law and rules. *See In the Matter of Henry Li* (CSC, decided March 26, 2014).

Concerning whether the appellant performs “more complex” maintenance and repair work, the Department Head indicated during a phone interview that the appellant receives “general” supervision as opposed to limited or close supervision, usually working with those of a higher title, and is assigned to assist in the labor of the projects. Further, while the appellant submitted a text exchange that indicated that his direct supervisor did not complete a report for the subject classification review, he has not submitted a statement from his direct supervisor that contradicts the statements of the Department Head during the phone interview. Moreover, to the extent that the appellant is claiming that he occasionally performs duties that would rise to the level of “complex,” or that he occasionally leads other workers, it is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed. Additionally, the fact that the appellant’s direct supervisor believes that the appellant can perform Senior Maintenance

Repairer duties does not signify that he is currently primarily performing such duties. Therefore, the record indicates that the appellant's position is properly classified as a Maintenance Repairer.

Regarding the effective date, *N.J.A.C. 4A:3-3.9(e)3ii* addresses the effective date when an appeal is granted. In this case, the appellant's appeal was denied as he originally sought a Senior Maintenance Repairer designation. In fact, under the Civil Service local classification system, the change in classification of his position from Truck Driver to Maintenance Repairer is considered a demotion. Accordingly, per Agency Services' policy, the effective date is the date that all the information for the classification appeal was received by this agency, which was January 9, 2025. There is nothing persuasive in the record to award an earlier date in this proceeding.

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 SEPTEMBER, 2025



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