



## 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 specification for the requested title Information Technology Specialist states:

Under direct supervision in a State department, agency, data center, institution, or State college, assists in at least one of the following areas: the design and preparation of least complex operation routines and computer programs for electronic data processing equipment utilizing required and current software, operating systems, and multiprogramming technology; the control and/or implementation/maintenance of highly technical operating systems associated with new generations of computers to function toward optimum utilization of available hardware/software using comprehensive knowledge of the operating system function; the development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN), maintenance of centralized, decentralized and remote network services, network security, data integrity, network performance monitoring, network problems resolution, and user support; does other related duties as required.

The definition section of the job specification for Technical Support Specialist 1 states:

Under general supervision, as a lead worker in a mainframe environment, provides guidance and direct hands on support to a work shift of the Data Processing Operations unit in resolving complex production problems from verbal or written problem reports; consults with, and assists network management and systems programming staff in the diagnosis, and resolution of complex problems; monitors and allocates space on direct access storage devices; uses and guides the use of productivity aids in implementing and maintaining software, applications, and system libraries; OR, as a lead worker in a client/server environment, provides direct support to end users and/or guidance to help desk and/or desktop technical personnel in the provision of direct support; installs and guides the installation of

hardware and software on servers and/or workstations; does other related duties.

In the instant appeal, the appellant rewrites his duties somewhat and disputes Agency Services' findings, contending that he performs these duties as a lead worker over interns and contractors. He states that he is the single point of contact in some cases, and provides direct support to all customers including solving complex problems. He maintains software and installs software with no assistance.

While the appellant maintains that he is the only permanent employee in the unit, it is noted that the organizational chart shows that there is another Information Technology Specialist in the unit. Nonetheless, the documentation does not support that the appellant is taking the lead over this individual. Taking the lead is the distinguishing characteristic in considering whether a position should be classified at the requested title. A leadership role refers to those persons whose titles are non-supervisory in nature, but are required to act as a leader of a group of employees in titles at the same or a lower level than themselves and perform the same kind of work as that performed by the group being led. *See In the Matter of Catherine Santangelo* (Commissioner of Personnel, decided December 5, 2005). Duties and responsibilities would include training, assigning and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations.

It is not apparent that the appellant's position involves leadership over other Information Technology Specialists on a consistent, daily basis. Acting as a representative does not define a position as a lead worker, and being the sole person responsible for a duty ensures that he is *not* a lead worker. Being a lead worker does not mean that work is performed only by one person, but involves mentoring others in work of the title series. Providing direction to interns and contractors is not a lead worker responsibility, that is, performing lead worker duties over individuals not permanently employed in the unit does not elevate the appellant's position a lead worker position. The appellant's duties do not fall within either portion of the job description for Technical Support Specialist 1. However, they clearly fall under the umbrella of the job definition for Information Technology Specialist.

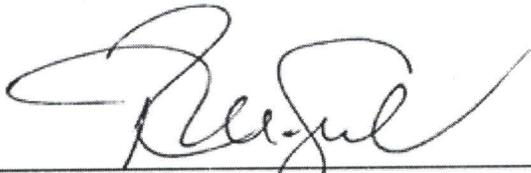
Accordingly, the record establishes that the proper classification of the appellant's title is Information Technology Specialist at the time of the audit.

### **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  
CIVIL SERVICE COMMISSION  
THE 18<sup>th</sup> DAY OF OCTOBER, 2017



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Robert M. Czech, Chairperson  
Civil Service Commission

Inquiries  
and  
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Written Record Appeals Unit  
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Attachment

c: Michael Klein  
Dave Weinstein  
Kelly Glenn  
Records Center



Chris Christie  
Governor  
Kim Guadagno  
Lt. Governor

STATE OF NEW JERSEY  
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Robert M. Czech  
Chair/Chief Executive Officer

February 3, 2017

Mr. Michael Klein  
New Jersey Office of Information Technology  
300 Riverview Plaza – PO Box 212  
Trenton, New Jersey 08625-0212

Re: **Classification Review – Michael Klein**  
**AS Log #07160041; EID: [REDACTED] position # [REDACTED]**

Dear Mr. Klein:

This is in response to the classification appeal dated July 6, 2016, submitted to this office on your behalf by former Chief of Staff Sharon Pagano. This determination is based upon a thorough review and analysis of all information and documentation submitted, including a position classification questionnaire (DPF-44S), organization chart and your most recent Performance Evaluation System (PES) agreement.

**Issue:**

You are appealing the current classification of your position Information Technology Specialist (53262/P21). You allege that your duties are not appropriately classified and that you are seeking to reclassify your position to Technical Support Specialist 1 (53063/P24).

**Organization:**

Your position is located in the Information Security unit of the New Jersey Office of Information Technology, and reports to Victor Staniec, Supervisor of Information Technology (50969/R31).

**Finding of Fact:**

The primary responsibilities of this position include, but are not limited to, the following:

- Providing end-user support in the Soltra mainframe environment
- Troubleshooting hardware and software issues
- Assisting with resolution of network security threats
- Preparing reports

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**Review and Analysis:**

You are permanently classified in the title Information Technology Specialist (53262/P21). The definition section of the specification for this title states:

Under direct supervision in a state department, agency, data center, institution, or state college, assists in at least one of the following areas: the design and preparation of least complex operation routines and computer programs for electronic data processing equipment utilizing required and current software, operating systems, and multiprogramming technology; the control and/or implementation/maintenance of highly technical operating systems associated with new generations of computers to function toward optimum utilization of available hardware/software using comprehensive knowledge of the operating system function; the development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN), maintenance of centralized, decentralized and remote network services, network security, data integrity, network performance monitoring, network problems resolution, and user support; does other related duties as required

The definition section of the requested title, Technical Support Specialist 1 (53063/P24), states:

Under general supervision, as a lead worker in a mainframe environment, provides guidance and direct hands on support to a work shift of the Data Processing Operations unit in resolving complex production problems from verbal or written problem reports; consults with, and assists network management and systems programming staff in the diagnosis, and resolution of complex problems; monitors and allocates space on direct access storage devices; uses and guides the use of productivity aids in implementing and maintaining software, applications, and system libraries; OR, as a lead worker in a client/server environment, provides direct support to end users and/or guidance to help desk and/or desktop technical personnel in the provision of direct support; installs and guides the instillation of hardware and software on servers and/or workstations; does other related duties.

It was found that you do not assume any supervisory duties, nor did you indicate that you take on the level of responsibility of a lead worker. The Information Technology Specialist title is meant as a title which completes multiple general hardware or software oriented

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tasks in LAN, MAN or WAN areas. Network security and report writing duties are included in the realm of responsibilities encompassed by the Information Technology Specialist title. Based on the current Civil Service titles, the nature of the work and the level of responsibility, none of the stated duties and responsibilities are considered out-of-title for your current permanent title.

**Determination:**

Based upon the findings of fact cited above, it has been determined that the assigned duties and responsibilities of this position are commensurate with your permanent title, Information Technology Specialist.

The title is descriptive of the general nature and scope of the functions that may be performed by the incumbent in this position. However, the examples of work are for illustrative purposes and are not intended to restrict or limit performance of the related tasks not specifically listed.

If you wish to appeal this decision, you may do so within twenty days of receipt of this letter. Since an appeal will be subject to final administrative review, all arguments that you wish considered should be submitted within the specified timeframe. Appeals should be addressed to the Written Records Appeal Unit, Division of Appeals and Regulatory Affairs, NJ Civil Service Commission, P.O. Box 312, Trenton, New Jersey 08625-0312.

Sincerely,



Scott Nance, Assistant Division Director  
Division of Agency Services

SN/JKIII

C: Lisa Blauer, Special Assistant, OIT  
Antoinette Sargent, Manager, HR