



B-19

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of William Doyle,  
Motor Vehicle Commission

CSC Docket No. 2016-3500

Classification Appeal

ISSUED: FEB 24 2017

(RE)

William Doyle, represented by Rose Richardson, CWA Local 1033, appeals the removal of duties pursuant to the attached January 29, 2016 decision of the Division of Agency Services (DAS).

William Doyle was permanently appointed as a Technician, Management Information Systems with the Motor Vehicle Commission on February 9, 2012. A classification review was conducted by DAS in response to the appellant's submission of a Position Classification Questionnaire (PCQ). In its January 29, 2016 determination, DAS found that based on the primary duties of the appellant's position, his title was properly classified as Senior Technician, Management Information Systems, effective August 22, 2015, unless the appointing authority assigned duties commensurate with his permanent title and submitted a second PCQ and an organization chart within 30 days.

The appellant asserts that the appointing authority delayed in submitting a second PCQ and an organization chart after removing higher-level duties. Specifically, the appointing authority did not return the completed PCQ until March 2, 2016, three days after the 30-day deadline. He argues that, based on the January 29, 2016 date of the letter, the second PCQ should have been delivered by February 28, 2016, and this warrants a reversal of the appointing authority's decision, and that he should receive a provisional appointment from August 22, 2015 and differential back-pay.



In response, the appointing authority did not produce the post-marked envelope, but submitted a copy of the January 29, 2016 decision with a date-stamp of receipt on February 1, 2016. It explains that on February 10, 2016, it directed the appellant's supervisor to remove out-of-title duties and provide a PCQ showing assigned duties commensurate with his title. The appellant, his supervisor, and the Division Director signed the PCQ on February 29, 2016, and the appointing authority hand-delivered this document on March 1, 2016.

N.J.A.C. 4A:3-3.5(c)1 states, within 30 days of receipt of the reclassification determination, unless extended by the Chairperson or designee in a particular case for good cause, the appointing authority shall either effect the required change in the classification of an employee's position; assign duties and responsibilities commensurate with the employee's current title; or reassign the employee to the duties and responsibilities to which the employee has permanent rights.

### CONCLUSION

In this case, the appointing authority selected one of the options available to it, *i.e.*, it assigned duties and responsibilities commensurate with the employee's current title of Technician, Management Information Systems. The appellant is arguing that he should receive a provisional appointment and differential back-pay since the appointing authority purportedly failed to submit the second PCQ within 30 days of DAS' decision. He does not mention that the appointing authority removed the out-of-title duties as directed, nor does he provide an explanation of why he did not sign the second PCQ until February 29, 2016. The appellant doubts that the date-stamp is accurate and believes that mail delivery should not have taken five days, *i.e.*, that MVC received the determination prior to February 3, 2016. As such, he contends that his own signature on the PCQ on February 29, 2016 "would still leave MVC out of time, as the deadline would have been February 28<sup>th</sup>, not the 29<sup>th</sup>." This argument is specious and self-serving. The courts have generally accepted that mail delivery on both sides takes three days. The fact that the appointing authority hand-delivered the documents within 30 days after receipt on February 3, 2016, showed a good faith attempt to timely deliver them. Moreover, the appointing authority removed the higher-level duties within the 30-day timeframe. Finally, while the Commission can relax the 30-day deadline for good cause, there is no reason to in this case, as the documents were received in a timely manner.

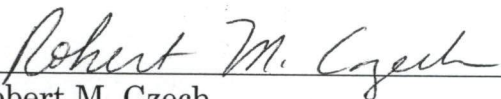
Nevertheless, as per DAS' determination, which indicates that Doyle was performing the duties of a Senior Technician, Management Information Systems effective August 22, 2015, he is entitled to differential pay until February 10, 2016, when the higher-level duties were removed.

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 ON  
THE 22<sup>nd</sup> DAY OF FEBRUARY, 2017

  
Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P. O. Box 312  
Trenton, New Jersey 08625-0312

Enclosure

c: William Doyle  
Rose Richardson  
Valerie Stutesman  
Kelly Glenn  
Records Center





Chris Christie  
Governor  
Kim Guadagno  
Lt. Governor

STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION  
DIVISION OF AGENCY SERVICES  
P. O. Box 313  
Trenton, New Jersey 08625-0313

Robert M. Czech  
Chair/Chief Executive Officer

January 29, 2016

William Doyle  
[REDACTED]  
[REDACTED]

Re: Classification Appeal – Technician, Management Information Systems (A17),  
[REDACTED] Log #07150335, [REDACTED]

Dear Mr. Doyle:

This is to inform you of our determination concerning the classification appeal referenced above. The determination is based upon a thorough review and analysis of the Position Classification Questionnaire submitted, information and documentation provided by your immediate supervisor, Maryanne Hood, and your Appointing Authority during the review process, as well as the information obtained during the audit conducted December 30, 2015.

Issue:

You are serving permanently in the title, Technician, Management Information Systems (16, A17, 53099) and contend you are performing duties and responsibilities commensurate with the title, Senior Technician, Management Information Systems (18, P19, 53100).

Organization:

Your position is assigned to the Technology Security and Infrastructure Support Unit, Motor Vehicle Commission. You report directly to Maryanne Hood, Supervisor Information Technology Help Desk (26, R27, 70349). You have no supervisory responsibilities.

Findings of Fact:

The primary functions of your position are to evaluate existing information systems and provide technical support to end users.

You perform the following assigned duties and responsibilities:

- Conduct studies of the Commission's programs to determine feasibility of planned information systems upgrades. Conduct study for upcoming Microsoft Windows 10 upgrade. Ensure end user's applications/databases will be compatible with Microsoft Windows 10. Identify, test and document applications/databases that do not run correctly. Refer irreconcilable issues to Network Administrators.



- Create Microsoft Exchange Server email addresses and shared calendars for end users.
- Serve as primary technician for the Trenton Regional Office and the International Fuel Tax Agreement (IFTA) unit's five hundred users. Provide network support and connectivity to end users on multiple servers.
- Setup, configure and install PCs, hardware, software, shared network printers and local printers.

Review and Analysis:

Currently your position is classified in the title, Technician, Management Information Systems (16, A17, 53099). The definition section of the job specification for the title, Technician, Management Information Systems, states:

"Under supervision assigned to a program or operational unit having responsibility for a specific, existing information processing system operation, implements and monitors management information systems used to compile, store, retrieve, and process varied types of financial, program, or other information unique to the unit; operates computers and related equipment controls; analyzes and troubleshoots information processing program or system error conditions; updates and analyzes application software problems; performs system maintenance; or in a client/server environment, provides hardware/software support to end users; installs hardware and software on servers or workstations; does other related work."

An incumbent properly classified in this title performs duties and responsibilities primarily focused on providing user support in a help desk environment. A Technician, Management Information Systems installs hardware, software and printers and maintains network connectivity.

The definition section of the job specification for the title, Senior Technician, Management Information Systems (18, P19, 53100), states:

"Under direction of a supervisory official in a state or local department, institution, or agency, assists in the planning, development, and implementation of information systems; reviews related programs and systems; acts as liaison with internal components utilizing the systems, and/or with other government jurisdictions; or in a client/server environment, provides hardware/software support to end users; installs hardware and software on servers or workstations; does other related work."

An incumbent properly classified in this title performs duties and responsibilities focused on conducting studies of programs to determine their applicability to existing or planned information systems. A Senior Technician, Management Information Systems is responsible for identifying and resolving network connectivity issues, installing, configuring and troubleshooting hardware, software and printers.

A review of the job duties and responsibilities assigned to your position revealed your position conducts an ongoing study to ensure end user's applications/databases will be compatible with the upcoming Microsoft Windows 10 upgrade. Your position is tasked with creating Microsoft Exchange Server email addresses and shared calendars for end users. Your position is also tasked with serving as primary technician for the Trenton Regional Office and the International Fuel Tax Agreement (IFTA) unit's users.



William Doyle  
January 29, 2016  
Page 3

In addition, your position performs setup, configuration and installation of PCs, hardware, software, shared network printers and local printers. The duties and responsibilities assigned to your position are consistent with those assigned to the title, Senior Technician, Management Information Systems.

Determination:

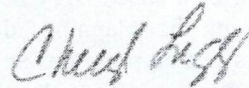
Based upon the findings of fact cited above, it is my determination that the assigned duties and responsibilities performed by this position are consistent with the title, **Senior Technician, Management Information Systems (18, P19, 53100)**.

Within thirty days, we will initiate classification procedures to reclassify this position to the title, Senior Technician, Management Information Systems, with an effective date of August 22, 2015, unless the Appointing Authority assigns duties commensurate with your permanent title, Technician, Management Information Systems. If duties are reassigned and you return to your permanent title, the Appointing Authority must provide a Position Classification Questionnaire (DPF-44s) and an organization chart documenting the changes in duties.

In addition, in accordance with New Jersey Administrative Code 4A:4-1.5(a)2, the appointing authority must insure that any incumbent appointed to this position meets the requirements established for the title, as indicated in the New Jersey Civil Service Commission job specification in existence at the time of the appointment.

Please be advised that in accordance with N.J.A.C. 4A:3-3.9, you may appeal this decision within twenty (20) days of receipt of this letter. This appeal should be addressed to: Written Record Appeals Unit, Division of Appeals and Regulatory Affairs, P.O. Box 312, Trenton, New Jersey 08625-0312. Please note that the submission of an appeal must include a copy of the determination being appealed as well as written documentation and/or argument substantiating the portions of the determination being disputed and the basis for the appeal.

Sincerely,



Cheryl Legg, Human Resource Consultant  
Division of Agency Services

CL/slr

Cc: Roopa Trotter