

B-8



STATE OF NEW JERSEY

In the Matter of Sandra Ponton,
Department of Health

FINAL ADMINISTRATIVE
ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-3076

Classification Appeal

ISSUED: July 5, 2017 (CSM)

Sandra Ponton appeals the attached decision of the Division of Agency Services (Agency Services) that the proper classification of her position with the Department of Health is Data Entry Operator 3. The appellant seeks a Data Entry Operator 4 classification.

The record in the present matter establishes that at the time the appellant filed her request for a classification review, she was serving as a Data Entry Operator 3. The appellant's position is located in the Division of HIV, STD & TB Services, Office of Prevention and Education. and she is supervised by Rekha Damaraju, Administrative Analyst 4, Information Systems. The appellant supervises a Data Entry Operator. The appellant sought a reclassification contending that her position would be more appropriately classified as a Data Entry Operator 4. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) detailing the different duties that she performed. Agency Services reviewed all documentation supplied by the appellant including her PCQ. Based on its review of the information provided, Agency Services concluded that the appellant's position is properly classified as Data Entry Operator 3 since the position is not responsible for the supervision of a lower level staff member that functions as a lead worker.

On appeal, the appellant states that she has been supervising a data entry unit for more than ten years and during that time there was a period where she supervised an additional staff member for more than five years. During that time, at times of heavy workloads, two additional staff members from other units were assigned under her supervision. Thus, the appellant contends that during that

period, the Data Entry Operator 2 under her supervision served as a lead worker over this group of individuals. However, over the past two years, due to organizational changes or staff taking new positions, these positions have not been filled. As such, the appellant contends that the Data Entry Operator 2 "continues to be a lead worker ... even if he is currently the only worker." Additionally, the appellant highlights her duties and maintains that they are consistent with those in the job specification for Data Entry Operator 4.

CONCLUSION

The definition section of the job specification for Data Entry Operator 3 states:

Under general supervision, uses an alphanumeric keyboard, image scanner, or other data entry input device to enter, edit, and/or update data from varied source documents into a prescribed computer system for storage, processing or data management purposes; performs a variety of complicated data entering and verification assignments and projects; takes the lead over a group of operators, or may supervise a unit consisting of entry level operators and support personnel; does other related work as required.

The definition section of the job specification for Data Entry Operator 4 states:

Under direction, in an institution or agency, supervises a data entry unit responsible for entering, editing and/or updating data from a source document into a prescribed computer system for storage, processing or data management purposes; does other related work as required.

In the instant matter, it is clear that the appellant's position is properly classified as Data Entry Operator 3. Although the appellant argues that she supervised a subordinate who was a lead worker in the past, the foundation of position classification, as practiced in New Jersey, is the determination of duties and responsibilities being performed at a given point in time as verified by this agency through an audit or other formal study. Thus, classification reviews are based on a current review of assigned duties and any remedy derived therefrom is prospective in nature. This agency's established classification review procedures in this regard have been affirmed following formal Civil Service Commission review and judicial challenges. *See In the Matter of Community Service Aide/Senior Clerk (M6631A), Program Monitor (M6278O), and Code Enforcement Officer (M0041O)*, Docket No. A-3062-02T2 (App. Div. June 15, 2004) (Accepting policy that

classification reviews are limited to auditing current duties associated with a particular position because it cannot accurately verify duties performed by employees in the past). Further, an incumbent in a leadership role refers to 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 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). Therefore, since classification reviews are based on a current review of duties and the Data Entry Operator 2 is the only subordinate currently in the unit, the appellant's position does not supervise lower level staff where one or more principal level positions are functioning in a lead worker capacity. In this regard, Agency Services has determined that the standard for positions to be classified as Data Entry Operator 4 must supervise at least one lower level position that functions as a lead worker over a group of employees in the same or lower level titles than themselves.

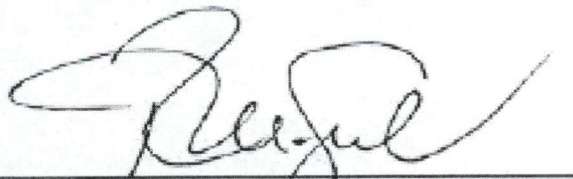
Further, regardless, the fact that some of an employee's assigned duties may compare favorably with some examples of work found in a given job specification is not determinative for classification purposes, since, by nature, examples of work are utilized for illustrative purposes only. Moreover, it is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed. For purposes of determining the appropriate level within a given class, and for overall job specification purposes, the definition portion of the job specification is appropriately utilized.

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 21st DAY OF JUNE, 2017

A handwritten signature in dark ink, appearing to read 'R. Czecz', is written over a horizontal line.

Robert M. Czecz, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

c: Sandra Ponton
Loreta Sepulveda
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

March 1, 2017

Ms. Sandra Ponton
New Jersey Department of Health
Division of HIV, STD & TB Services
Office of Prevention and Education
50 East State Street, 3rd floor
Trenton, New Jersey 08625-0363

Re: Classification Appeal, Data Entry Operator 3, Position #: ~~017536~~;
AS Log #: 12160049; EID #: ~~00000000~~.

Dear Ms. Ponton:

This is in response to the classification appeal received December 5, 2016 submitted to this office on your behalf by Loreta Sepulveda, Director, Human Resources. You are appealing the current classification of your position, Data Entry Operator 3 (53294, R14). You contend that the appropriate classification of your position is Data Entry Operator 4 (53295, R18). Your position is located in the Division of HIV, STD & TB Services, Office of Prevention and Education.

On February 1, 2017, a telephone audit was conducted with you and your supervisor, Rekha Damaraju, Administrative Analyst 4, Information Systems (50076G, R29) to confirm information regarding the structure of your organizational unit. In addition, this office has also conducted a review of the submitted information, including the Position Classification Questionnaire (DPF-44S); Performance Assessment Review (PAR) form; organization chart; your statements; and the statements of your supervisor, program manager (or division director).

A review of the aforementioned documents indicates that your position reports to Rekha Damaraju, Administrative Analyst 4, Information Systems (50076G, R29). You supervise one (1) Data Entry Operator 2 (53293, A10).

The definition section for the job specification for the title, **Data Entry Operator 3** (53294, R14), states:

"Under general supervision, uses an alphanumeric keyboard, image scanner, or other data entry input device to enter, edit and/or update data from varied source documents into a prescribed computer system for storage, processing or data management purposes; performs a variety of complicated data entering and verification assignments and projects; takes the lead over a group of operators, or may supervise a unit consisting of entry level operators and support personnel; does other related duties as required."

An incumbent holding a Data Entry Operator 3 title is responsible for editing, updating, verifying and entering data from source documents into a computer system. An incumbent at this level is responsible for verifying the accuracy and completeness of all entered data, checking for any noticeable errors and making appropriate corrections when necessary. In addition, the Data Entry Operator 3 plans, organizes and assigns work of the organizational unit, instructs lower-level operators in the proper care and use of equipment, and evaluates employee performance.

Your position is responsible for supervising one Data Entry Operator 2 in the processing of incoming HIV testing data. Your position ensures that all HIV test result forms are entered into the Evaluation Web System and kept confidential. Your position also reviews and checks all entered data for any discrepancies before submitting the data into the system. As supervisor, you assign and organize work, and complete employee performance evaluations.

The definition section for the job specification for the title, **Data Entry Operator 4** (53295, R18), states:

"Under direction, institution or agency, supervises a data entry unit responsible for entering, editing and/or updating data from a source document into a prescribed computer system for storage, processing or data management purposes; does other related duties as required."

Incumbents at this level spend a majority of their work time supervising staff who are responsible for entering, editing, updating and verifying data. Positions at this level must supervise lower level staff, where one or more principal level positions are functioning in a lead worker capacity. A leader worker is required to act as a leader of a group of employees in titles at the same or a lower level than themselves. 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.

Your current position does not supervise lower level staff where one or more subordinate workers function in a lead worker capacity. The existing organizational structure of the unit does not support a reclassification to the title Data Entry Operator 4.

Sandra Ponton
March 1, 2017

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Therefore, based on the written record and the information obtained through the audit, it is our determination that your position is presently and properly classified as a Data Entry Operator 3, (53294, R14).

The class specification for this 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.

An appeal of this decision may be filed within twenty (20) 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, 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,



Martha T. Bell,
Human Resource Consultant 5
Agency Services

MTB/ch
c: Loreta Sepulveda
Ann Kopczynski

