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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Jose Quintela, Office
of Information Technology

Classification Appeal

CSC Docket No. 2017-2653

ISSUED: **JUN 26 2017** (SLK)

Jose Quintela, represented by Dudley Burdge, Senior Staff Representative, CWA Local 1032, appeals the attached decision of the Division of Agency Services (Agency Services) that the proper classification of his position with the Office of Information Technology is Technical Support Specialist 1. The appellant seeks a classification of Network Administrator 1.

By way of background, the appellant sought reclassification of his position, alleging that his duties were more closely aligned with the duties of a Network Administrator 1. At the time of the classification review, Mr. Quintela's permanent title was Information Technology Specialist. Mr. Quintela is assigned to the Information Security Unit and reported to Stephen Omogbehin¹, Assistant Division Director, at the time of the classification review. Mr. Quintela has no supervisory responsibility. In support of his request, the appellant submitted a Position Classification Questionnaire (PCQ) and other documentation detailing the different duties he performed as an Information Technology Specialist. Agency Services reviewed and analyzed the PCQ completed by the appellant and other documentation. 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 Technical Support Specialist 1.

On appeal, Mr. Quintela describes in detail the duties that he performs and provides his justifications as to why these duties correlate to the Network Administrator 1 title. The appellant states that Omogbehin initially checked on his PCQ that he agreed with his description of his job duties, percentage of time, and title proposed. Thereafter, Omogbehin whited out his markings, which can be

¹ Personnel records indicate that Omogbehin is no longer in State service as of March 11, 2016.

observed by reviewing his PCQ, and checked the boxes indicating that he disagreed with the appellant and recommended that his position be reclassified as Technical Support Specialist 1. He does not know why Omogbehin changed his statement; however, he presents that Omogbehin always treated him like he was a Network Administrator 1 based on the trust he placed in him to independently perform complex duties. The appellant states that his position should not be evaluated solely on the word "support" as stated on his PCQ as this word can be used differently by both a Network Administrator and a Technical Support Specialist 1. Instead, he requests that his position be evaluated by the greater detailed description of his duties that he submits on appeal. The appellant states that it is clear from Omogbehin's comments on his performance evaluation that his duties went above what is expected of a Technical Support Specialist 1. The appellant argues that Omogbehin's changes to his PCQ should be disregarded since he changed his statement without notifying him and these changes conflict with the performance evaluation that he gave the appellant. He highlights Omogbehin's comments on his performance evaluation, which indicate that the appellant has extensive professional skills, volunteers to help others and takes on extra responsibilities, plans his priorities well, and his work displays a high level of commitment and customer focus. The appellant presents that Omogbehin stated on his PCQ that he led many of the migrations of the SSL certificates and configurations with the enterprise-hosting infrastructure and that he supported his reclassification, which contradicts Omogbehin's post whited-out statement indicating that he disagreed with the appellant's proposed title. Further, Omogbehin stated on his PCQ that the appellant's most important duties and skills, such as deploying multi-tier .Net Applications and having advanced knowledge of software deployment and development life cycles, are duties and skills consistent with a Network Administrator 1. The appellant also submits two letters of recommendation from David Surro, Director, Infrastructure Support Services, which were in support of the appellant's eligibility for a prior Network Administrator 1 promotional examination.

CONCLUSION

The definition section of the job specification 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.

The definition section of the job specification for Network Administrator 1 states:

Under direction performs professional work, which includes development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN); maintains centralized, decentralized, and remote network services; maintains network security and data integrity; provides consultations and recommendations to infrastructure managers as required to troubleshoot and resolve network problems, monitor overall performance, and conduct upgrades as required; may be assigned to the administration of Storage Area Networks (SANs); does other related duties.

In the present matter, it is clear that the appellant's position is properly classified as Technical Support Specialist 1. Agency Services found that the appellant's primary duties were supporting SSL certificate configuration, renewal, and installation, supporting the new build-out of the 3 server farms for the .Net infrastructure, supporting operations of an enterprise Information Technology architecture, and supporting maximization of data re-usability and integration. These duties come directly from the appellant's PCQ and support the determination that the appellant's primary function is to perform higher-level network maintenance and network security duties that are consistent with a Technical Support Specialist 1 classification. On appeal, the appellant describes in detail the work that he performs and how he believes this work is more appropriately characterized as Network Administrator 1 duties. The appellant asserts that the word "support," as he wrote on his PCQ, can have more than one meaning and that Agency Services chose to use the word "support" in a Technical Support Specialist 1 context and not a Network Administrator 1 context. Therefore, he argues that his use of the word "support" on his PCQ should not be used in the evaluation of his position and his job duties should be evaluated based on the detailed description that he provides on appeal. However, it is noted that the appellant's PCQ instructed him to:

Describe in detail the work required of this position. Make descriptions so clear that persons unfamiliar with the work can

understand exactly what is done. You MUST also explain how the duties at issue are more appropriate to the requested title than your current title.

In other words, the appellant was given clear instructions to provide in detail on his PCQ the duties that he performs and the justification as to why these duties are more appropriate for the Network Administrator 1 title. In this regard, Agency Services properly evaluated his position based on the information he provided. Agency Services did not have the opportunity to review these detailed duties and justifications at the time of the classification review and therefore they cannot be considered on appeal. In this regard, *N.J.A.C. 4A:3-3.9(e)* states, in pertinent part, that information and/or argument which was not presented at the prior level of appeal shall not be considered. See *In the Matter of Dolores Houghton* (Commissioner of Personnel, decided October 6, 1993). Further, even if they were considered, these additional details do not establish that his duties rise to the level of a Network Administrator 1.

Some other issues need to be addressed. Initially, it is noted that recommendations from the appellant's superiors are not determinative for a classification review. However, they are pieces of information that Agency Services and the Civil Service Commission (Commission) can use in evaluating the classification of the appellant's position. As such, the Commission notes that both Omogbehin and the Program Manager/Division Director disagreed with the appellant's requested title based on their understanding of the appellant's job duties and the job specifications for the titles in question. Additionally, contrary to the appellant's assertion, Omogbehin's comments on his PCQ are not inconsistent. Omogbehin indicated that he supported the appellant's position being reclassified, just not to the position the appellant requested and rather, recommended the Technical Support Specialist 1 title. Further, the fact that Omogbehin "whited-out" his initial indication that he supported the appellant's requested title and ultimately recommended a different title does not mean that this was not his actual recommendation and the appellant is merely speculating otherwise. Moreover, Omogbehin's positive comments and evaluation concerning the appellant's work as an Information Technology Specialist are not evidence that Omogbehin supported the appellant's position to be reclassified to Network Administrator 1 and simply mean that he rated the appellant highly in that position at that time. Moreover, how well or efficiently an employee does his or her job, length of service, volume of work and qualifications have no effect on the classification of a position currently occupied, as *positions*, not employees are classified. See *In the Matter of Debra DiCello* (CSC, decided June 24, 2009). Additionally, Omogbehin did not have any obligation to discuss his changed recommendation with the appellant prior to changing it on his PCQ. With respect to Mr. Surro's letters of recommendation, they simply mean that he supported the appellant's *eligibility* to be considered for a

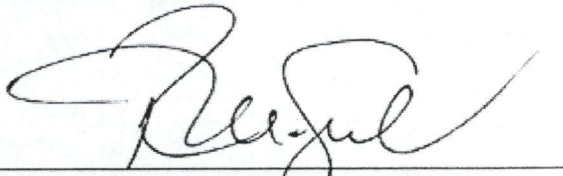
prior promotional examination and **not** that the appellant was actually performing the duties of a Network Administrator 1 at the time of the classification review.

ORDER

Therefore, the Civil Service Commission concludes that the position of Jose Quintela is properly classified as a Technical Support Specialist 1.

This is the final administrative determination in this matter. Any further review is to be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 21st DAY OF JUNE, 2017



Robert M. Czech, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
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Written Record Appeals Unit
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Trenton, New Jersey 08625-0312

Attachment

c: Jose Quintela
Dudley Burdge
David Weinstein
Kelly Glenn
Records Center



Chris Christie
Governor
Kim Guadagno
Lt. Governor

STATE OF NEW JERSEY
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AGENCY SERVICES
P. O. Box 313
Trenton, New Jersey 08625 0313

Robert M. Czech
Chair/Chief Executive Officer

July 1, 2016

Mr. Jose Quintela
New Jersey Office of Information Technology
300 Riverview Plaza - PO Box 212
Trenton, New Jersey 08625-0212

Re: Classification Review - Jose Quintela
AS Log #03160337; EID: [REDACTED] position #944043

Dear Mr. Quintela:

This is in response to the classification appeal dated March 29, 2016, submitted to this office on your behalf by 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 I (53063/P24).

Organization:

Your position is located in the Information Security unit of the New Jersey Office of Information Technology, and reports to Stephen Omogbehin, Assistant Division Director (64280/M98).

Finding of Fact:

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

- Supporting SSL certification configuration, renewal, and installation
- Supporting the new build-out of the 3 servers farms for the .Net infrastructure
- Support operations of an enterprise IT architecture
- Support maximization of data re-usability and integration

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, Network Administrator I (10107/P26), states:

Under direction performs professional work, which includes development, implementation, and maintenance of multinetwork, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN); maintains centralized, decentralized, and remote network services; maintains network security and data integrity; provides consultations and recommendations to infrastructure managers as required to troubleshoot and resolve network problems, monitor overall performance, and conduct upgrades as required; may be assigned to the administration of Storage Area Networks (SANs); does other related duties.

The definition section of the title recommended by your immediate supervisor, 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, but you do take on the level of responsibility of a lead worker. The Information Technology Specialist title is meant as an entry level title which completes multiple general hardware or software oriented tasks in LAN, MAN or WAN areas. It was found that the duties and responsibilities for your position are specifically focused on higher level network maintenance and network security. Based on the current Civil Service titles, the nature of the work and the level of responsibility, the Technical Support Specialist 1 title is the most appropriate.

Determination:

By copy of this letter, the Appointing Authority is advised that we have determined this position is properly classified in the title Technical Support Specialist 1 (53063/P24), effective April 16, 2016, unless they assign duties and responsibilities that are commensurate with this position's current title Information Technology Specialist (53262/P21), within thirty days of receipt of the determination letter.

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.

Please note that this classification determination does not imply that you will meet the eligibility requirements for the title. It is the responsibility of the Appointing Authority to ensure an incumbent meets the eligibility requirements prior to any appointment.

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 along with a copy of this determination letter. 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,

Annemarie Nostrand
Annemarie Nostrand, Team Leader
Division of Agency Services

AN/JKIII

C: Sharon Pagano, Chief of Staff, OIT

It is not to be understood that the Commission may not have received all the information it needs to make a final decision on the application. The Commission may at any time require the applicant to furnish further information or to appear before it to explain the facts of the case. The Commission may also at any time suspend the application for a period of time if it is satisfied that the applicant is not making sufficient progress in the preparation of the application.

Very truly yours,
Commissioner of Patents and Trademarks
Department of Commerce

Enclosed for the Commissioner of Patents and Trademarks are two copies of the report of the Commissioner of Patents and Trademarks on the application for a patent for the invention of a new and improved method of making paper.