



**STATE OF NEW JERSEY**

In the Matter of Karen Bruccoleri,	:	<b>FINAL ADMINISTRATIVE</b>
Ewing Township	:	<b>ACTION</b>
	:	<b>OF THE</b>
	:	<b>CIVIL SERVICE COMMISSION</b>
CSC Docket No. 2017-3664	:	
	:	
	:	
	:	
	:	Classification Appeal
	:	

**ISSUED: MAY 31, 2018**

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Karen Bruccoleri, represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032, appeals the decision of the Division of Agency Services (Agency Services) that the proper classification of her position with Ewing Township is Keyboarding Clerk 2. The appellant seeks a Keyboarding Clerk 3 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 Keyboarding Clerk 2. The appellant’s position is located in the Department of Economic Development, Ewing Township, and she reports to Lisa Gachetti. The appellant does not have supervisory responsibility. The appellant sought a reclassification contending that her position would be more appropriately classified as Keyboarding Clerk 3. 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 Keyboarding Clerk 2.

On appeal, the appellant states that Agency Services’ determination failed to consider the range and complexity of her duties. For example, she asserts that the determination failed to take into account the documents and unique correspondence that she prepares for the part-time Zoning Officer and the advice that she gives to residents, developers, and real estate professionals. Further, Charles Latini, Zoning Officer, presents that her duties require that she exercise independent judgment in the ordinary performance of her duties. In this regard, she is required

to possess a comprehensive knowledge of complex zoning rules and procedures. Further, since Latini is part-time, she states that she receives general direction in the performance of her duties that are augmented by retrospective review. The appellant also states that she frequently mentors other clerical staff and takes the lead in the absence of the regular supervisor.

## CONCLUSION

*N.J.A.C. 4A:3-3.9(e)* states that classification appeals must be submitted in writing within 20 days of receipt of the decision letter and include 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 the appeal. *Information and/or argument which was not presented at the prior level of appeal shall not be considered.*

The definition section of the job specification for Keyboarding Clerk 2 states:

Under limited supervision, performs moderately complex and non-routine clerical work involving the processing of documents in a variety of functions; performs moderately complex and non-routine clerical work requiring the utilization of keyboarding or typing skills; formats, reproduces, corrects, adjusts and prints a variety of written material; key enters/types correspondence, documents, reports charts and other materials on a computer console, typewriter, or other key entry device used by the agency; may provide guidance and assistance to staff; does other related duties as required.

The definition section of the job specification for Keyboarding Clerk 3 states:

Under direction, performs varied complex clerical work involving the processing of documents in a variety of functions; takes the lead and/or performs the more difficult and complex clerical work requiring the utilization of keyboarding or typing skills and the application of independent judgment; formats, reproduces, corrects, adjusts and prints a variety of written material; key enters/types correspondence, documents, reports charts and other materials on a computer console, typewriter, or other key entry device used by the agency; may take the lead over other clerical employees; does other related duties as required.

In the present matter, the record demonstrates that the appellant's position is properly classified as Keyboarding Clerk 2. On her PCQ, the local appointing authority disagreed with the appellant's description of her job duty that she is the secretary for Zoning and Planning as this is performed by another employee who is

compensated for fulfilling this role. While the Zoning Officer confirmed that the appellant utilizes independent judgement, the appointing authority agreed, but qualified the statement explaining that all her work is reviewed by the Zoning Officer or Construction Official upon completion. Moreover, while she indicated on her PCQ that she prepares and verifies the accuracy of deposit and permit fees when her supervisor is on vacation, there is no indication that she performs the duties of a lead worker. In this regard, 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. Rather, the appellant only indicated on her PCQ that for approximately 1% of her time, she provides guidance and assistance to Code Enforcement co-workers as needed. The definition section of the job specification for Keyboarding Clerk 2 clearly indicates that an incumbent may provide guidance and assistance to staff.

Further, 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. Additionally, 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).

Accordingly, a thorough review of the information presented in the record establishes that the appellant's position is properly classified as a Keyboarding Clerk 2 and she has not presented a sufficient basis to establish that her position is improperly classified.

### **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  
23<sup>RD</sup> DAY OF MAY, 2018

*Deirdre L. Webster Cobb*

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Deirdre L. Webster Cobb  
Chairperson  
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