



22,000 inmates, 5,900 custody staff and 1,000 civilian staff. He states that he evaluates every food service department and makes recommendations for improvement in fiscal or operational deficiencies, which he directs to the Food Service Supervisors. He ensures appropriate equipment and personnel to meet policies, procedures, menus and programs, and keep them in compliance with regulations and guidelines. He states that he maintains program compliance of a child nutrition program to continue federal reimbursement funds, manages a food buying program to reduce costs, and is assisting in the development of a computerized food inventory and ordering module. He states that he does not supervise a kitchen or feed inmates, and he requests that the title Quality Assurance Officer be considered.

### 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 job specification for the title Food Service Supervisor 2 states:

Under supervision a business manager or other supervisory official in a large and complex State institution, hospital, or college with a resident inmate, patient, or student population of 900 to 2500, has charge of the economic and professional management of all functions, services, facilities, and staff associated with the storage, preparation, and service of all food, and the use of a large and diversified working force; does related work as required.

The definition section of the job specification for the title Program Specialist 3 states:

Under the general supervision of a Program Specialist 4 or other supervisory officer in a State department, institution or agency, or in a local jurisdiction, may directly supervise professional and or technical staff engaged in program activities, or performs the more complex and sensitive professional, administrative and analytical work to promote the planning, operation, implementation, monitoring and evaluation of various programs and services administered by the Department of assignment; conducts the research and fieldwork necessary to meet the needs of the appropriate State and/or local public or private agencies; does other related work.

The definition section of the job specification for the title Administrative Analyst 3 states:

Under general supervision of an Administrative Analyst 4 or other supervisor in a State department, institution, or agency, performs the review, analysis, and appraisal of current department administrative procedures, organization, and performance and helps to prepare recommendations for changes and/or revisions; does other related duties.

First, in making classification determinations, emphasis is placed on the definition section of the job specification to distinguish one class of positions from another. The definition portion of a job specification is a brief statement of the kind and level of work being performed in a title series and is relied on to distinguish one class from another. The outcome of position classification is not to provide a career path to the incumbents, but rather is to ensure that the position is classified in the most appropriate title available within the State's classification plan.

Next, issues such as the historical organization of the work unit is not to be considered. It is important to note that 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. Classification reviews are based on a current review of assigned duties and any remedy derived therefrom is prospective in nature since duties which may have been performed in the past or which may be performed in the future cannot be reviewed or verified.

As noted above the Food Service Supervisor 2 is a secondary-level supervisory title. It is in a different occupational group than Program Specialist 3. The use of occupational group categorizations, as recognized by the United States Department of Labor, was determined to be a reasonable and objective method for identification of job similarities as required by *N.J.A.C.* 4A:8-2.1 title rights criteria and the same criteria are uniformly applied to all titles in the State Classification Plan. Agency Services uses the Dictionary of Occupational Titles as a starting point for the development of 39 broad occupational groupings to enable the appropriate categorization of State job titles, which were customized to account for the uniqueness of occupations in the Civil Service. Additionally, job specifications were used for the basis for the categorization into occupational groups. The Food Service Supervisor 2 belongs in Occupational Group 3 (Occupations in Service Occupation) and in Family 31 (Food and Beverage Preparation and Services), with the sub-category 310 (Cooks/Bakers/Butchers). Occupations in this family are concerned with preparing and serving food and beverages to residents, clients, inmates, students, patients, and staff in institutions with dining facilities. They also

implement mobile meals programs and manage food supply, food preparation, food service, and food delivery. The Program Specialist 3 belongs in Occupational Group 0/1 (Occupations in Professional/Technical/Managerial) and in Family 16 (Administrative Specializations). Occupations in this family are concerned with a variety of a professional administrative specializations related to internal operations and supporting agency goals and objectives involving utilization of new resources other than fiscal, such as formulating and recommending policies and administering programs; human resources management and labor relations; and program compliance review. Thus, these titles have dissimilar duties and responsibilities.

Agency Services is correct that Program Specialist 3 is inappropriate since the appellant does not supervise, and Program Specialist 3 is a first-level supervisory title. However, Food Service Supervisor 2 is inappropriate as well, since it is a second-level supervisory title, and additionally, the duties are not concerned with the supervision of preparing and serving food and beverages. Thus, another title must be found. Also, if the appellant remains in his Food Service Supervisor 2, then a first-level supervisor will be supervising a second-level supervisor who does not supervise. This is unacceptable.

The primary functions of the appellant's position include ensuring the Food Service operations for 13 correctional facilities are following policies and procedures; developing and implementing operational policies and procedures; ensuring facility compliance with established government health and safety codes; maintaining policies, procedures and practices in budgeting, purchasing and accounting for each facility; coordinating activities between vendors, agencies and facilities; and preparing financial analyses on food related expenditures. This is professional-level work in the administrative field. Administrative Analyst 3 is a professional title (non-supervisory) in the same group and family as Program Specialist 3 and is the best fit for the given duties. Additionally, Quality Assurance Officer would not be applicable as this title is in Occupational Group 0/1 (Occupations in Professional/Technical/Managerial) and in Family 02 (Physical Sciences, and Statistics), and is used in the Department of Health, Division of Public Health Infrastructure, Laboratories & Emergency Preparedness.

Pursuant to *N.J.A.C.* 4A:3-3.9(e)3i, the effective date of a reclassification action from an appeal, in State service, should be the pay period immediately after 14 days from the date the Commission received the appeal or reclassification request, or at such earlier date as directed by the Commission. The appellant's appeal was received on November 14, 2017, which provides for an effective date of December 9, 2017.

**ORDER**

Therefore, the position of James Frank is properly classified as Administrative Analyst 3, effective December 9, 2017.

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 20<sup>th</sup> DAY OF JUNE, 2018



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