

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION

In the Matter of Sherry Velez , : CIVIL SERVICE COMMISSION

Department of Law and Public Safety :

:

CSC Docket No. 2019-2460

Classification Appeal

ISSUED: May 9, 2019 (RE)

Sherry Velez appeals the decision of the Division of Agency Services (Agency Services) which found that her position with the Department of Law and Public Safety is properly classified as Agency Services Representative 2. She seeks an Agency Services Representative 3 job classification in this proceeding.

The appellant received a regular appointment to the title Agency Services Representative 2 on September 28, 2016. A classification review was requested indicating that her title was not consistent with her duties and responsibilities. Agency Services conducted a thorough review of the appellant's Position Classification Questionnaire (PCQ), and other documentation, and determined that her position was properly classified as Agency Services Representative 2. Her position is assigned to the Firearms Investigation Unit, Division of State Police, Department of Law and Public Safety, is supervised by a Head Clerk, and has no supervisory responsibility.

On appeal, the appellant states that she has been employed by the New Jersey State Police for 23 years, and she is responsible for reviewing, processing, and issuing firearm permits and provision of notarized affidavits which involves dealing with the general public and other agencies. She states that she is responsible for the Retired Police Officers Permit to Carry Handguns Program wherein she ensures that all applications are completed correctly, and all documents accompanying the applications are current and accurate. She contacts and interacts with law enforcement agencies and ensures that permits and letters are mailed to applicants. In support of her appeal, she submits a letter from the

program supervisor who indicates that the appellant processes and reviews renewal applications requiring several key attributes. He states that she displays confidence in dealing with demanding retired police officers, fulfills her role in a professional and informative manner with little or no direction, and is reliable and accurate.

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 Agency Services Representative 2 states:

Under the limited supervision of a supervisory official in a State department, agency or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides information to customers regarding department/agency programs and services; may provide guidance and assistance to clerical staff; does other related work as required.

The definition section of the job specification for Agency Services Representative 3 states:

Under the general supervision of a supervisory official in a State department or agency or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides specialized information to customers regarding department/agency programs and services; handles the more complex and/or sensitive customer issues, requests and complaints; does other related work as required.

The major focus of positions classified as Agency Services Representatives is public contact. Incumbents spend a majority of their work time responding to questions and soliciting information, orally and in writing, from members of the general public, co-workers, and others for the purpose of processing agency documents. Other clerical support functions may be assigned from time to time, but should not be the primary emphasis of the position. In addition, the Agency Services Representative 2 requires familiarity with organizational procedures and rules and may involve a limited exercise of independent judgment. This incumbent

is expected to have a basic understanding of the program in which they work and the services provided in order to answer questions and explain the clarify rules, policies and procedures without frequent supervisory oversight. Incumbents at this level should be able to effectively handle irate customers, or those who have trouble articulating their questions or problems. They may process multi-step transactions or transactions that require knowledge and a general understanding of operations across internal units. The Agency Services Representative 3 performs more complex or sensitive work. They are expected to have considerable experience and familiarity with organizational procedures and rules, and be able to provide specialized information of a varied nature. Also, incumbents at this level are expected to perform research and be able to explain laws and regulations, and technical information. They resolve complex, varied and sometimes difficult issues and exercise independent judgment where clear precedent does not exist.

Based upon a thorough review of the information presented in the record, the duties of the appellant's position do not match, as a primary focus, the definition for Agency Services Representative 3. The appellant spends 20% of her time processing permits to carry handguns; 20% of her time copying and forwarding applications to former employers for verification and endorsement; 20% of her time researching and preparing notarized affidavit requests; and 40% of her time (5% or less each) training new employees, interns and temporary personnel, handling mail, customer service, conducting criminal background checks, file and ledger maintenance, daily attendance, reviewing applications and documents for armored car employees, reviewing applications and documents for other reasons, and maintaining statistics.

It is noted that how well or efficiently an employee does 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). The record does not support that the appellant makes independent decisions, resolves more difficult issues, performs varied work, and performs more complex work, which would warrant the higher title.

Accordingly, a thorough review of the entire record fails to establish that the appellant has presented a sufficient basis to warrant an Agency Services Representative 3 classification of her position.

ORDER

Therefore, the position of Sherry Velez is properly classified as Agency Services Representative 2.

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 9th DAY OF MAY, 2019

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