



**STATE OF NEW JERSEY**

In the Matter of Linda Berger,  
Willingboro Township

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

CSC Docket No. 2019-2879

Classification Appeal

**ISSUED: AUGUST 2, 2019** (JET)

Linda Berger appeals the decision of the Division of Agency Services (Agency Services) that the proper classification of her position with Willingboro Township is Purchasing Agent. The appellant seeks a Director of Purchasing 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 Purchasing Agent. The appellant sought a reclassification contending that her position would be more appropriately classified as a Director of Purchasing. The appellant’s position is located in the General Government Department, Willingboro Township, and she directly reports to Eusebia Diggs, Director of Finance/Chief Financial Officer. The appellant does not possess any supervisory responsibilities. In support of her request, the appellant submitted a Position Classification Questionnaire (PCQ) dated April 2, 2018, detailing the different duties that she performed. Agency Services reviewed all documentation supplied by the appellant. Based on its review of the information provided, including an organizational chart and telephone interviews with the appellant and her supervisor, Agency Services concluded on March 7, 2019 that the proper classification of the appellant’s position was Purchasing Agent.

On appeal, the appellant asserts, among other things, that the job specifications for Purchasing Agent and Director of Purchasing are similar. In support of her arguments, she provides a chart comparing the duties listed on her PCQ with respect to the information on the aforementioned job specifications. Additionally, the appellant contends that she met with representatives in her

Human Resources unit at some point and attempted to resolve issues with respect to the work she is performing. The appellant states that, in response, various employees were reassigned from her unit, and as a result, she did not have any support staff to supervise. The appellant adds that she was reassigned to the Finance unit on January 1, 2006, and she did not meet her current supervisor, Eusebia Diggs, until that time. In this regard, the appellant explains that Ms. Diggs did not have any knowledge of the appellant's duties prior to that date. However, Ms. Diggs explained to the appellant that she was reassigned to the Finance unit as her former supervisors believed that her work experience would be an asset to that unit. The appellant adds that she was not provided with support staff at the time of her reassignment, and she has had multiple discussions with Ms. Diggs with respect to the lack of support staff. Further, the appellant explains that she did not receive a copy of her completed PCQ prior to when it was submitted to this agency for review, and as such, on April 17, 2019, her Human Resources Director gave her a copy of the completed PCQ for her records.

The appellant claims that, with respect to her supervisor's comments that appear on the PCQ, such information does not indicate the duties that she is actually performing and appears only to be copied from the job specification for Purchasing Agent. She adds that her supervisor's comments do not indicate any information pertaining to the knowledge and abilities that are necessary for an incumbent in the title of Director of Purchasing. The appellant adds that she directs support staff to assist with gathering information for vendor files, researching invoices, obtaining quotes, and assisting with inventory. The appellant adds that she directly supervised and prepared employee evaluations for purchasing staff from February 2009 through September 2013. The appellant maintains that she continues to provide tasks to them and she was authorized to train employees from 2009 through 2015. The appellant adds that her duties include standardizing purchasing rules, familiarizing employees with purchasing rules, forms, and creating unique procedures.<sup>1</sup> Moreover, the appellant contends that the information in the March 7, 2019 classification determination does not list all of the duties that she listed in her PCQ. In this regard, she did not state that 65% of her duties are limited to developing, designing, creating, revising and implementing ongoing training with employees within the Township. Rather, she states that she has maintained the Purchasing unit for eight years without any need of assistance from her direct supervisor. In this regard, the appellant maintains that Ms. Diggs is not aware of the appellant's duties and how her work assignments change on a regular basis. The appellant asserts that 10 to 25% of her duties include reviewing requisitions for approvals by department employees and the Township Manager,

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<sup>1</sup> The appellant states that she would discuss employee performance with department directors, and employee evaluations were performed by Joanne Diggs, a prior Township Manager. She adds that she discussed the staff issues in April 2017 with the new Township Manager, and he requested the appellant perform purchasing training for various directors. However, he left the position in September 2017.

and final approval is made by her direct supervisor, Ms. Diggs. She states that 5 to 20% of her time involves reviewing and quoting evaluations of non-fair and open bids. The appellant states that the majority of her duties involve obtaining information from vendors and maintaining vendor files. She adds that her duties involve applying for exemption certificates and overseeing processing of payments. She also responds to vendors with respect to invoices, processing purchase orders, and responding to payment discrepancies. The appellant adds that her workplace does not have a need to maintain a centralized purchasing system, and she administers the accepted purchasing methods in accordance with applicable rules. The appellant states that since the time she has been overseeing the requisitions, audits have shown that there have been fewer violations. As such, the appellant maintains that she is supervising staff as consistent with the Director of Purchasing title.

In response, by letter dated April 23, 2019, Eusebia Diggs, Director of Finance/Chief Financial Officer and the appellant's direct supervisor, asserts that the appointing authority agrees with the March 7, 2019 classification determination which indicates that the appropriate classification of the appellant's position is Purchasing Agent. Ms. Diggs adds that the appellant's duties include overseeing purchasing activities, reviewing requisitions, preparing specifications, reviewing bids, making recommendations, preparing contracts, preparing purchasing procedures, overseeing staff, and conferring with department representatives with respect to the operating procedures.

### **CONCLUSION**

The definition section of the job specification for Purchasing Agent states:

Under direction, plans, organizes, and directs activities of the purchasing unit; prepares purchasing procedures; does other related duties.

The definition section of the job specification for Director of Purchasing states:

Under direction, administers the jurisdiction's procurement program including purchase, specification and contract development, quality assurance and inventory management; does related duties.

In the instant matter, the appellant did not provide any substantive information or documentation that would change the outcome of the March 7, 2019 classification determination. A review of the record reveals that the classification determination was based on a review of all of the appellant's duties and

responsibilities listed in the PCQ. Over 50% of the duties listed on the PCQ (65%) included developing standard operating procedures for each function of the purchasing process; creating purchasing manual and related forms, including vendor help packets and inventory control forms; preparing specifications; establishing purchasing related training to some employees in all departments; overseeing daily requisitions; ensuring that purchases conform with budgetary constraints and policies; signing purchasing orders; guiding employees in the purchasing process and functions; reviewing bid packages; ensuring compliance prior to awarding bids; preparing resolutions for higher bid threshold for approval; making recommendations for contracts; resolving complaints regarding purchasing, inventory, vendors, and other payments; maintaining vendor information files; ensuring correct information is entered into system; preparing reports and correspondence; and maintaining a system for inventory control are consistent with the Purchasing Agent title. As such, the majority of duties listed in the appellant's PCQ are not consistent with the duties of a Director of Purchasing.

The appellant's PCQ indicates that the appellant's supervisor disagreed that the appropriate classification of her position was Director of Purchasing. Although recommendations from the appellant's superiors are not determinative for a classification review, such information can be used as pieces of information in evaluating the classification of the appellant's position. *See In the Matter of Jose Quintela* (CSC, decided June 21, 2017). In this regard, her supervisor indicated that her most important duties were establishing and developing accepted purchasing methods and records in accordance with prescribed rules, regulations, standards, policies and procedures. The appellant's supervisor also indicated that 65% of the appellant's duties does not involve establishing, developing, designing, creating, revising and implementing ongoing training with all involved employees in all departments in the Township. The appellant does not assign or oversee the processing of payments with purchase orders and vendors. As a Purchasing Agent, her supervisor states that it is the appellant's responsibility to develop and implement a centralized purchasing system including all necessary procedures, forms and files. It is also the responsibility of the Purchasing Agent to establish and develop accepted purchasing methods and records in accordance with prescribed laws, rules, etc.

Additionally, the appellant admits on appeal that she does not currently complete employee evaluations, and she did not list on her PCQ that the majority of her duties include supervising employees. In this regard, supervisory responsibilities are defined in the appropriate job specifications as supervising work operations and/or functional programs and having responsibility for employee evaluation and for effectively recommending the hiring, firing, promoting, demoting, and/or disciplining of employees. A title whose job specification does not contain this clause or a reasonable variation thereof in the "Examples of Work" section is not considered a supervisory title. *See In the Matter of Sadie Hamer, et al.* (MSB,

decided February 22, 2006). Although she states that she previously completed employee evaluations for employees, such information does not establish her claims. In this regard, 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 cannot be reviewed or verified. Given the evolving nature of duties and assignments, it is simply not possible to accurately review the duties an employee may have performed six months ago or a year ago or several years ago. This agency's established classification review procedures in this regard have been affirmed following formal Civil Service Commission review and judicial challenges. Since the appellant does not conduct formal performance evaluations for subordinate staff, her position cannot be classified as Director of Purchasing.

With respect to the appellant's arguments that she continues to oversee and train employees, the job specification for Purchasing Agent permits the performance of such duties. Even if the appellant was previously performing the duties of a Director of Purchasing, both Agency Services and the Commission have determined that the appropriate classification of her title, based on the most recent review, is Purchasing Agent.

With respect to the argument that the classification determination indicates that she is performing some of the duties of a Director of Purchasing, 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. In this regard, 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. In making classification determinations, emphasis is placed on the definition section to distinguish one class of positions from another. With regard to the appellant's arguments pertaining to the examples of work in the job specifications, she did not provide any specific examples in support of her claims. Regardless, the examples of work portion of a job description provides typical work assignments which are descriptive and illustrative and are not meant to be restrictive or inclusive. *See In the Matter of Darlene M. O'Connell* (Commissioner of Personnel, decided April 10, 1992).

Additionally, the record indicates that all of her duties and responsibilities were once again reviewed and the March 7, 2019 classification determination was based on that information. The purpose of a classification evaluation is to conduct a fact-finding session and the classification reviewer's role is strictly limited to an independent review of the current duties and responsibilities of the position at

issue. Moreover, the appellant has not established that Agency Services' methodology in this matter was improper or led to an incorrect result.

Accordingly, there is no basis to disturb the determination of Agency Services that the appellant's position is properly classified as a Purchasing Agent.

**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 31<sup>st</sup> DAY OF JULY, 2019



Deirdre L. Webster Cobb  
Chairperson  
Civil Service Commission

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