

her time training and reviewing work of staff within the unit, while the other Classification Officer 2 does none. She states that her supervisor has not completed Performance Assessment Reviews (PARs) for the past few years, and therefore, is not doing her job. The appellant states that she spends a majority of her day of ensuring that information is entered into the database correctly and accurately by the staff in her unit. She states that she prepares inmate history and materials, and presents them at meetings. As the need arises, she requests registration materials for inmates, as well as completes requests for DNA testing and provides emails as evidence, which are job duties of a Supervising Classification Officer.

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 Classification Officer 2 states:

Under direction of a Supervising Classification Officer or other supervisory official in a State prison, juvenile detention facility, or county jail, applies state and federal laws department regulations governing the level of security, status, transfer, and involuntary commitment of inmates; classifies inmates using the Objective Classification System; coordinates inmate records, checks inmate progress, calculates sentence expirations, and prepares materials for use by the Bureau of Parole, State Parole Board, and other committees; does other related duties

The definition section of the job specification for Classification Officer 3 states:

Under direction of a Supervising Classification Officer or other supervisory official, leads a team/group composed of professional/technical staff in the application of state and federal laws and department regulations governing the level of security, status, transfer, and involuntary commitment of inmates; leads activities involved in classifying inmates, coordinating inmate records, checking inmate progress, and in preparing materials for use by the Bureau of Parole, State Parole Board, and other committees; does other related duties.

Based upon a thorough review of the information presented in the record, it is clear that the appellant's position is properly classified as Classification Officer 2. The appellant does not dispute the duties in Agency Services' findings. Rather, she contends that she performs these duties as a lead worker over the Classification Officer 1 in her own unit, and those in another unit. The documentation does not support that the appellant is taking the lead over the other Classification Officers. Taking the lead is the distinguishing characteristic in considering whether a position should be classified at the requested title. A leadership role refers to those 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 a lower level than themselves and perform the same kind of work as that performed by the group being led. *See In the Matter of Catherine Santangelo* (Commissioner of Personnel, decided December 5, 2005). Duties and responsibilities would include training, assigning and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations.

Additionally, duties performed intermittently or on an "as needed" basis to not contribute to the classification of position. On her Position Classification Questionnaire, the appellant indicated that for 5% of the time she provides training to individuals in the same title or a lower title regarding release unit procedures, and for 16% of the time she reviews the work of staff for accuracy and including those in the Classification Officer 2 title. She lists two Classification Officer 1s and a Classification Officer 2 as those she supervises regularly. Nonetheless, one Classification Officer 1 and a Classification Officer 2 are assigned to the Classification unit, not the Release Notification Unit. If they have any questions, they address them to their supervisor. The appellant's supervisor confirms that those individuals consistently approach their own supervisor for guidance and direction. The appellant only acts a lead worker in the absence of that supervisor, which is not on a regular and recurring basis. The supervisor indicated that the appellant was not a lead worker. Further, being a contact person does not define a lead worker, nor does volume of work. How well or efficiently an employee does his or her job, length of service, 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 appellant's supervisor indicates that the appellant does not mentor, on a regular and daily basis, an employee in her unit who has the duties of her work as a primary focus. As the appellant is not a lead worker, the higher title is not warranted.

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

ORDER

Therefore, the position of Lisa Shumard is properly classified as Classification Officer 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 15th DAY OF JANUARY, 2020



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