



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Classification Appeal

In the Matter of Mary Mendez,
Vineland

CSC Docket No. 2020-1691

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ISSUED: May 1, 2020 (RE)

The appointing authority appeals the decision of the Division of Agency Services (Agency Services) which found that Mary Mendez’ position with Vineland is properly classified as Customer Service Representative. It does not request a specific classification in this proceeding.

The appellant was regularly appointed to Clerk 2, Bilingual in Spanish and English, from an open-competitive list on March 1, 2018. The position is assigned to the Vineland City License and Inspection Department, reports to a Technical Assistant to the Construction Official and has no supervisory responsibility. Agency Services conducted a review of Mendez’ position and, based on a review of her current duties, determined that her position was properly classified as Customer Service Representative.

On appeal, the appointing authority argues that it did not disagree with a desk audit as it believed that the audit would be conducted in person. As the audit was done by paper review and telephone, the appointing authority disagrees with the findings. The appointing authority states that Vineland has its own electric utility company and operates its own call center with Customer Service Representatives, and it believes that the Examples of Work in the job specification for that title are geared to positions in a call center or utility department. It states that Mendez works with customers as they come into the office but her work is limited to handing out forms or taking payments for various licenses (Dog and Cat License, Trailer Park Registrations, Rental registrations, Construction permits and various other license as required by the city.) It states that she is not able to make

any decisions regarding conflicts in billing or payments for construction permits, which is a duty of the Supervisors of each section (UCC, Code Enforcement and General Licensing). Mendez receives customer complaints and forwards them to either the supervisors or the Director for final decisions, but this is only a small portion of her job responsibilities. It states that Mendez does not have any supervisory responsibilities, and is cross trained to do other specialized duties. The appointing authority states that for 40% of the time Mendez is receiving and processing all late and failed inspections, processing rental payments, entering dates, and filing paperwork. Otherwise, she greets customers at the desk and directs them to the proper department, handing out the proper paperwork associated with what the customer is requesting for 5% of the time; answers phones and handles and directs calls to the proper department for 10% of the time; issues the proper certificates to individuals after a complete review or investigation has been completed for 15% of the time; sorts through daily mail and directing it to its proper location for 5% of the time; files or scans documents which are received for 5% of the time; reviews all documentation such as rental applications, dog licenses, zoning applications, construction permits, and any other licenses required by the city for 15% of the time; and makes daily deposits for monies collected during the course of the working hours for 5% of the time.

In response, Mendez states that 80% of her day involves greeting customers and helping them with what they came for. She goes to the counter, looks at what is being submitted, reviews paperwork for corrections, and forwards it and the payment for processing. She states that only customer complaint issues in which the explanation given is not agreed to by the customer are forwarded to the supervisors or the Director. She indicates that the office received and processed 19,923 registrations, licenses, and applications in 2019. She states that she has been cross trained and works with the public, and that the job specification for Customer Service Representative is not written exclusively for a call center.

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 Clerk 2, Bilingual in Spanish and English states:

Under limited supervision, performs clerical work involving the processing of documents in a variety of functions; performs moderately complex and non-routine clerical work; may provide guidance and

assistance to other staff; does other related duties as required. Applicants must be able to read, write, speak, understand, or communicate in Spanish and English sufficiently to perform the duties of this position.

The definition section of the job specification for Customer Service Representative states:

Under direction, performs work involved in receiving and handling customer complaints, requests, and/or inquiries concerning the providing of public services, billings, service charges, the issuance of licenses, certificates, and permits, and/or other matters of a similar nature; does other related duties as required.

First, classification reviews are typically conducted either by a paper review, based on the duties questionnaire completed by the employee and supervisor; an on-site audit with the employee and supervisor; or a formal telephone audit to obtain clarifying information. *See In the Matter of Richard Cook* (Commissioner of Personnel, decided August 22, 2006) (Desk audit that was scheduled to be conducted in appellant's office that was changed at the last minute to another building was a proper audit and did not warrant reclassification of his position). The chosen method in this case was a telephone review, which is a valid way of collecting information about a position and is not by any means considered to be inadequate or improper. The appointing authority's dissatisfaction with the method of classification review is not a reason to conclude that the audit results were inaccurate.

Next, typically, classification determinations list only those duties which are considered to be the primary focus of appellant's duties and responsibilities that are performed on a regular, recurring basis. *See In the Matter of David Baldasari* (Commissioner of Personnel, decided August 22, 2006).

The appointing authority's assertion that the Examples of Work in the job specification for that title are geared to positions in a call center or utility department is misplaced. The job specifications are not geared to positions, but each job specification has a concise description of the type of work, along with the class level or rank, meaningful task statements, requirements, knowledge and abilities that are prerequisites for the job, and other data. That is, the Customer Service Representative title is not geared to a call center position, but describes all positions which receive and handle customer complaints, requests, and/or inquiries concerning the providing of public services, billings, service charges, the issuance of licenses, certificates, and permits, and/or other matters of a similar nature.

Thus, it is not necessary for the Customer Service Representative to receive and handle customer complaints of all types of services, billings, service charges, and the issuance of licenses, certificates, and permits. An employee can be responsible for only one type and still be receiving and handling customer complaints, requests, and/or inquiries. This definition does not require the Customer Service Representative to make any decisions regarding conflicts in billing or payments, nor is it a supervisory title.

On her Position Classification Questionnaire (PCQ), Mendez listed her duties, the order of difficulty of each, and the percentage of time for each. No one provided comments, but the supervisor, Director, and the appointing authority each agreed with her statements. Pursuant to *N.J.A.C. 4A:3-3.9(e)*, upon receipt of a determination which was not acceptable, a party to the appeal cannot provide a different set of duties for consideration. Nevertheless, the new duties presented on appeal are consistent with the Customer Service Representative title series. In the audit, the supervisor agreed with Mendez' duties, but indicated that he she did not take the lead over other Customer Service Representatives.

Accordingly, a thorough review of the entire record establishes a Customer Service Representative classification of Mendez' position is proper.

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 29TH DAY OF APRIL, 2020



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