



STATE OF NEW JERSEY

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

In the Matter of Field Representative
Housing, Code Enforcement

CSC Docket No. 2020-2517

Request for Rule Relaxation

ISSUED: JUNE 19, 2020

The Division of Agency Services (Agency Services) requests that the provisions of *N.J.A.C.* 4A:4-7.6(a)1 be relaxed to allow the movement of employees in the Field Representative Housing, Code Enforcement title series to the Inspector, Multiple Dwellings title series as lateral title changes as part of a title consolidation action.

By way of background, the Bureau of Housing Inspection, within the Department of Community Affairs (DCA) administers the New Jersey Hotel and Multiple Dwellings Law (*N.J.S.A.* 55:13A-1). As part of the Bureau's code enforcement teams, incumbents in the Inspector, Multiple Dwellings title series are used to perform related inspections and are required to possess the required license. The Bureau of Housing Inspection also enforces this law through their State Local Cooperative Housing Inspection Program (SLCHIP). Through SLCHIP, local inspectors are employed by and perform inspections for their respective municipalities. The SLCHIP unit utilizes State SLCHIP inspectors serving in the title series Field Representative Housing, Code Enforcement. While these DCA employees have the authority to review and monitor the work of the local inspectors, the Field Representative Housing, Code Enforcement title series does not require a license and limits the ability of incumbents to perform the functions of a licensed inspector. This title consolidation will enable the SLCHIP inspectors to more effectively manage the local inspectors and permit them to perform full inspections in SLCHIP municipalities when necessary. Thus, allowing the DCA to maximize the efficiency of the SLCHIP.

The Field Representative Housing, Code Enforcement title series will be consolidated into Inspector, Multiple Dwelling series, will be renumbered in accordance with current practice, level 1 being the entry level in the series and level 3 being the supervisory level. Also, the Inspector job specifications have been modified to include the duties performed by the Field Representatives. inspectors. Incumbents in the Field Representative Housing, Code Enforcement title series will be cross walked into the renumbered Inspector, Multiple Dwelling title series. However, the Field Representative Housing, Code Enforcement title is assigned a class code 18, the Senior Field Representative Housing, Code Enforcement title us assigned a class code 21, and the Principal the Field Representative Housing, Code Enforcement title is assigned a class code 24, but the corresponding Inspector, Multiple Dwelling titles are assigned class codes 19, 22, and 27, respectively. In order to effectuate the movement of these affected employees, Agency Services requests that the provisions of *N.J.A.C. 4A:4-7.6(a)1*, which provide that a lateral title change may only be made if the titles are assigned the same class code, be relaxed in order to allow employees to move laterally into their new titles. Employees will retain their current status and permanent employees will not be subject to a working test period.

CONCLUSION

N.J.A.C. 4A:4-7.6(a)1 stats that a lateral title change may only be made if the titles are assigned the same class code. *N.J.A.C. 4A:1-1.2(c)* provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purpose of Title 11A, New Jersey Statutes.

In the instant matter, the record establishes that this title consolidation will enable the SLCHIP inspectors to more effectively manage the local inspectors and permit them to perform full inspections in SLCHIP municipalities when necessary. Thus, allowing the DCA to maximize the efficiency of the SLCHIP. Accordingly, it is appropriate to relax *N.J.A.. 4A:4-7.6(a)1* in order to laterally change the incumbents in the various levels of the Field Representative Housing, Code Enforcement title series to the corresponding Inspector, Multiple Dwellings title. Additionally, pursuant to *N.J.A.C. 4A:4-7.6(b)*, since the nature of the work, education and experience requirements of both title series are substantially similar, the incumbents that are cross walked from the Field Representative Housing, Code Enforcement title series shall retain their permanent status and will not be subject to a working test period. Finally, all employee movements to the consolidated titles series are to be effectuated in accordance with Compensation Compendium Salary Regulation 4G – movement without promotional procedures to a restructured title series. ¹

¹ It is not necessary for the Commission to formally act on Agency Services' restructuring of the title series, *i.e.*, renumbering the levels, verbiage changes, and inactivating titles, as these functions have been specifically delegated to the Chairperson or designee by *N.J.A.C. 4A:3-3.3*. See *In re Changes in the State Classification Plan*, 460 *N.J. Super.* 358 (App. Div. 2019).

ORDER

Therefore, it is ordered that this request be granted and the lateral title changes be processed in accordance with the attached Change in the State Classification Plan.. This action shall be effective the first pay period following the Civil Service Commission's approval.

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
17TH DAY OF JUNE, 2020



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence


Christopher S. Myers
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Attachment

- c. Kelly Glenn
Jodi Evangelista
Records Center

DATE: February 28, 2020

TO: Civil Service Commission

FROM: Kelly Glenn, Director 
Division of Agency Services

SUBJECT: Change in the State Classification Plan

DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Community Affairs (DCA) requests the consolidation of two of its title series as follows:

1. The Code Enforcement variant series of the Field Representative Housing series with the Inspector, Multiple Dwellings title series.
2. The Housing Assistance Program (HAP) variant series of the Field Representative Housing series with its base series.

All impacted titles are assigned solely to DCA.

By way of background, the Bureau of Housing Inspection, within the DCA, administers the New Jersey Hotel and Multiple Dwellings Law (*N.J.S.A. 55:13A-1*). As part of the Bureau's code enforcement teams, incumbents in the Inspector, Multiple Dwellings title series are used to perform related inspections and are required to possess the required license. The Bureau of Housing Inspection also enforces this law through their State Local Cooperative Housing Inspection Program (SLCHIP). Through SLCHIP, local inspectors are employed by and perform inspections for their respective municipalities. The SLCHIP unit utilizes State SLCHIP inspectors serving in the title series Field Representative Housing, Code Enforcement. While these DCA employees have the authority to review and monitor the work of the local inspectors, the Field Representative Housing, Code Enforcement title series does not require a license and limits the ability of incumbents to perform the functions of a licensed inspector. This title consolidation will enable the SLCHIP inspectors to more effectively manage the local inspectors and permit them to perform full inspections in SLCHIP municipalities when necessary. Thus, allowing the DCA to maximize the efficiency of the SLCHIP inspectors.

Currently there are no incumbents in the entry level (level 1) and principal level (level 3) of the Code Enforcement variant series. The incumbents in senior level (level 2) shall be cross-walked to the Inspector 2, Multiple Dwelling title with retention of their existing status. It is further noted, that DCA has confirmed that incumbents currently serving in the Senior Field Representative Housing, Code Enforcement title all possess a valid Inspector of Hotel and Multiple Dwellings license and meet the requirements of the Inspector 2, Multiple Dwelling title.

The consolidated Inspector, Multiple Dwelling series will be renumbered in accordance with current practice, level 1 being the entry level in the series and level 3 being the supervisory level. Also, the Inspector job specifications have been modified to include the duties performed by the Field Representatives.

Additionally, the DCA requests to consolidate the HAP variant series and its base Field Representative Housing series. This will allow DCA to combine two program functions, thus removing redundancy and maximizing the efficiency of the housing program. All incumbents currently reside in the HAP variant series and the base series has not been encumbered in over two (2) years. All levels in the base title series are currently vacant, except for the Supervising level. No change is being made at the Supervising Field Representative Housing level. The consolidated title series will retain the 'Housing Assistance Program' verbiage. All impacted employees shall be cross-walked to the consolidated series with retention of their existing status.

As noted below in the crosswalk details, some employees will move from their current class code to a higher class code. In order to effectuate the movement of these affected employees, it is requested that the provisions of *N.J.A.C. 4A:4-7.6*, which provide that a lateral title change may only be made if the titles are assigned the same class code, be relaxed in order to allow employees to move laterally into their new titles. Employees will retain their current status and permanent employees will not be subject to a working test period.

Regarding compensation, such employee movements to a consolidated title series are effectuated in accordance with Compensation Compendium Salary Regulation 4G – movement without promotional procedures to a restructured title series.

Appropriate negotiation representative has been notified in accordance with *N.J.A.C. 4A:3-3.3(f)*.

CROSSWALK OF EMPLOYEES

Employee(s) in the existing title will be crosswalked to the new title as follows.

The title actions will be processed as lateral employee movements; appointment type to appointment type, with retention of existing status

Inspector, Multiple Dwellings

Effective date: The effective date of this action will be the beginning of the first pay period that follows the Commission's approval.

FROM

Apprentice Inspector, Multiple Dwellings
(116, 55472)

Inspector 3, Multiple Dwellings
(119, 55473)
Field Representative Housing, Code Enforcement
(P18, 64392D)

Inspector 2, Multiple Dwellings
(122, 32203)
Senior Field Representative Housing, Code Enforcement
(P21, 64393D)

Inspector 1, Multiple Dwellings
(R27, 32202)
Principal Field Representative Housing, Code Enforcement
(R24, 64394G)

TO

Apprentice Inspector, Multiple Dwellings
(116, 55472)

Inspector 1, Multiple Dwellings
(119, 55473)

Inspector 2, Multiple Dwellings
(122, 32203)

Inspector 3, Multiple Dwellings
(R27, 32202)

Field Representative Housing, Housing Assistance Program

Effective: This action is delegated to the Division of Agency Services. Upon the Commission's approval to consolidate the above-referenced titles and crosswalk employees, the Division of Agency Services will establish this effective date consistent with the effective date established by the Commission for the above-referenced action.

FROM

Field Representative Housing
(P18, 64392)
Field Representative Housing, Housing Assistance Program
(P18, 64392C)

TO

Field Representative Housing,
Housing Assistance Program
(P18, 64392)

Senior Field Representative Housing
(P21, 64393)
Senior Field Representative Housing, Housing Assistance
Program (P21, 64393C)

Senior Field Representative Housing,
Housing Assistance Program
(P21, 64393)

Principal Field Representative Housing
(R24, 64394)
Principal Field Representative Housing, Housing Assistance
Program (R24, 64394F)

Principal Field Representative Housing,
Housing Assistance Program
(R24, 64394)

Supervising Field Representative Housing
(R26, 64396)

Supervising Field Representative Housing
(R26, 64396)

Upon successful completion of the consolidation process and movement of employees, the consolidated titles that are no longer used will be inactivated.

The Civil Service Commission also plans to inactivate the following titles for which the DCA has indicated it has no plans for future use.

TITLES TO BE INACTIVATED

Effective: This action is delegated to the Division of Agency Services. Upon the Commission's approval to consolidate the above-referenced titles and crosswalk employees, the Division of Agency Services will establish this effective date consistent with the effective date established by the Commission for the for the above-referenced action.

Principal Field Representative Housing, Code Compliance (R24, 64394C)

Supervisor of Housing, Code Compliance (S28, 15115C)

Supervisor of Housing, Code Compliance, State Local Cooperative Housing Inspection
Program (S28, 15115E)

SF/PM