



**STATE OF NEW JERSEY**

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

In the Matter of Francis Lay,  
Department of Labor and Workforce  
Development

CSC Docket No. 2020-2022

Examination Appeal

**ISSUED:            JULY 2, 2020        (RE)**

Francis Lay appeals the decision of the Division of Agency Services (Agency Services) which found that his position with the Department of Labor and Workforce Development is correctly classified as Senior Technician, Management Information Systems. He seeks an Administrative Analyst 1 classification in these proceedings.

By way of background, the appellant was appointed provisionally, pending a qualifying examination (PAQ), in the Administrative Analyst 1, Information Systems title effective July 20, 2019. Agency Services processed a qualifying examination for him to determine if he possessed the necessary qualifications for the subject title, which was a lateral action and found that his duties clearly are not those of his permanent title of Administrative Analyst 1 or Administrative Analyst 1, Information Systems, but returning him to his permanent based on his failure of the qualifying examination would perpetuate the misclassification of his position. As such, it ordered a classification review of the position. His position is located within the Department of Labor and Workforce Development, Division of Vocational Rehabilitation Services, is supervised by an Administrative Analyst 4, Information Systems, and does not have any supervisory responsibilities. Agency Services found that, based on the primary duties of the position, his title is properly classified as Senior Technician, Management Information Systems.

On appeal, the appellant claims that he has been reassigned duties commensurate with Administrative Analyst 1, and he provides a copy of his ePAR,

an undated, unsigned list of reassigned duties for his position, and an undated unsigned list of duties that “will be removed from Francis Lay.”

## 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 specification for the title Administrative Analyst 1 states:

Under close supervision of an Administrative Analyst 4, or other supervisory officer in a State department, institution or agency, assists as part of a team or task force in the review, analysis and appraisal of current department administrative procedures, organization, and performance, and helps prepare recommendations for changes and/or revisions; does other related duties as required.

The definition section of the specification for the title Senior Technician, Management Information System states:

Under direction of a supervisory official in a State or local department, institution, or agency, assists in the planning, development, and implementation of information systems; reviews related programs and systems; acts as liaison with internal components utilizing the systems, and/or with other government jurisdictions; or in a client/server environment, provides hardware/software support to end users; installs hardware and software on servers or workstations; does other related work.

At the outset, it is noted that the classification of a position is determined based the duties and responsibilities assigned to a position at the time the request for reclassification is received by Agency Services as verified by audit or other formal study. The outcome of position classification is not to provide a career path to the incumbents, but rather is to ensure that the position is classified in the most appropriate title available within the State’s classification plan. Further, how well or efficiently an employee does his or 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).

Based upon a thorough review of the information presented in the record, it is clear that the appellant's position is properly classified as Senior Technician, Management Information System. All of the appellant's duties and responsibilities were reviewed and the entire record has once again been thoroughly reviewed in conjunction with the appellant's appeal. Typically, classification determinations list only those duties which are considered to be the primary focus of an employee'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 appellant completed his Position Classification Questionnaire (PCQ) with 11 duties, and five of those duties were performed 10% of the time or more. For example, for 30% of the time, the appellant answered inquiries from AWARE Case Management System users, providing technical information. For 20% of the time, he created training documents and presented training. For 10% of the time, he attended meetings regarding hardware and software changes to AWARE, for 10% of the time, he found resolutions for errors that end users create and made adaptations to the system and corrected data and information, and for 10% of the time, he provided AWARE reports to management. His other duties were related to these main functions. The appellant is clearly not part of a team or task force in the review, analysis and appraisal of current department administrative procedures, organization, and performance, and he does not help prepare recommendations for changes and/or revisions. His duties more closely align with work involved in and relating to assisting in the planning, development, and implementation of information systems; reviewing related programs and systems; providing hardware/software support to end users; and installing hardware and software on servers or workstations. As such, Agency Services' determination is correct.

On appeal, the appellant presents a different set of duties. It is noted that classification reviews are based on a review of assigned duties **at the time of** the classification review. Duties assigned after the classification audit is completed are not factors in the classification of a position. In this case, the appellant contends that after Agency Services' January 15, 2020 determination, he was assigned a new set of duties which closely resemble the examples of work from the job specification for the requested title. If the appellant believes that his work assignments have changed significantly so that the primary focus is different than that presented in January 2020, he can request another classification review. However, based on a holistic view of the record, the appellant does not perform work which would match the definition of the requested title.

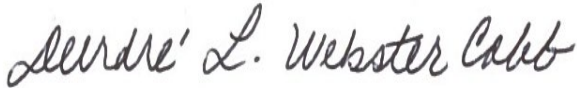
A thorough review of the information presented in the record establishes that the appellant's position is properly classified as Senior Technician, Management Information Systems, and he has not presented a sufficient basis to establish that his position is improperly classified.

**ORDER**

Therefore, it is ordered that this appeal be denied, and the position of Francis Lay is properly classified as Senior Technician, Management Information Systems.

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 1<sup>ST</sup> DAY OF JULY, 2020



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Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Christopher S. Myers  
Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P. O. Box 312  
Trenton, New Jersey 08625-0312

c. Francis Lay  
Tennille McCoy  
Kelly Glenn  
Records Center