

maintaining cooperative working relationships with organizations and agencies; and maintaining essential records and files.

On appeal, the appellant claims that he possesses the required education and experience to pass an examination for the requested title. He also indicates that since January 4, 2021, he has provided technical assistance and guidance to six new VRCs and reviews their rehabilitation plans for improvement. He states that he analyzes and interprets complex caseload information, compiles data to evaluate caseload management, conducts casework reviews and follows up with service providers, identifies and recommends changes, plans and implements expenditures for the purchase of services, and screens cases and distributes them to support staff. He states that since September 2021, he has been directly supervising an intern.

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.

N.J.A.C. 4A:3-3.1(b)1 and 3 provides that positions shall be assigned by the Commission and be assigned the title which describes the duties and responsibilities to be performed and the level of supervision exercised and received and, in State service, the level of compensation.

N.J.A.C. 4A:2-1.4(c) provides that the appellant has the burden of proof on appeal.

The definition section of the job specification for VRC1 states:

Under the limited supervision of a supervisory official in a State department, institution, or agency, provides counseling services to a varied population of clients with disabilities requiring rehabilitative services over an extensive period of time; assists clients with disabilities in the process of selecting and obtaining the necessary training and related services for their vocational rehabilitation; assists clients and employers in obtaining suitable employment or employees; does other related duties as required.

The definition section of the job specification for VRC2 states:

Under the general supervision of a supervisory official in a State department, institution, or agency, provides counseling services to a

varied population of clients with disabilities requiring rehabilitative services over an extensive period of time; assists clients with disabilities in the process of selecting and obtaining the necessary training and related services for their vocational rehabilitation; assists clients and employers in obtaining suitable employment or employees; handles a complex caseload of clients; applies judgment to daily problems and complex situations; makes recommendations regarding agency policies and procedures; may take the lead over lower level counselors and provides technical guidance to staff; does other related duties as required.

At the outset, it is noted that the outcome of position classification is not to provide a career path to the incumbent, but rather to ensure the position was classified in the most appropriate title available within the State's classification plan. See *In the Matter of Patricia Lightsey* (MSB, decided June 8, 2005), *aff'd on reconsideration* (MSB, decided November 22, 2005). 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). The appellant's reference to examination eligibility is not relevant to position classification.

One of the issues herein is whether or not the appellant is a lead worker, as this position was classified as VRC1 partly on the basis that the appellant does not take the lead over assigned employees. 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, mentoring others in work of the title series. Answering a question intermittently, does not constitute a lead worker.

A review of the appellant's PCQs indicates that he copied nineteen examples of work from the job specification for the requested title as his own duties, and then assign them percentages of time and order of difficulty. Instructions on the PCQ state that this form is to be completed by the employee in his or her own words. As he did not do so, any lead worker duties listed on the PCQ are not reliable. The supervisor of the position provided a list of the most important duties of the position and did not include lead worker duties. A review of the organizational chart provided indicates no lower level VRCs, or VCR1s, in the unit. Lastly, no further evidence, such as a Performance Assessment Review, or other audit material

suggests that lead worker duties occur on a regular and recurring basis. The appellant is cautioned to complete any future PCQs in his own words.

As to the level of supervision, the appellant indicated that he worked under general supervision. Nevertheless, the appellant has been in the position of VRC1 since September 15, 2018, and his supervisor indicated that he has shown growth, but has not been consistent in reaching his statistical outcomes, and has displayed challenges was problem resolution. The supervisor states that the appellant requires a considerable amount of direct supervision when analyzing the risks and benefits in attempting problem solving the, and his oral and written skills require considerable assistance from the supervisor. The manager of the position agrees with this statement, that stating that he displays challenges and problem resolution. As the requested title VRC2 requires general supervision, handling a complex caseload of clients, and applying judgment to daily problems and complex situations, this is not the best fit for the duties of the position.

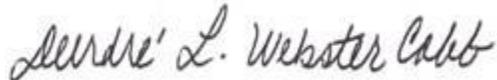
Accordingly, a thorough review of the entire record fails to establish that the appellant has presented a sufficient basis to warrant a VRC2 classification of his position.

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 23RD DAY OF MARCH, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Allison Chris 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: Alaafia Ajibade
Tennille McCoy
Division of Agency Services
Records Center