

through the process and showing her and another employee (no longer there) how to perform many functions.

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 Human Services Specialist 2 states:

Under the supervision of a designated supervisor in a welfare agency, does the field and office work involved in the collection, recording, analysis, and evaluation of data, to include the employability, the medical status and the physical or mental health of applicants/clients, for the purpose of determining applicants'/clients' eligibility for program services; analyzes information on forms, applications and other financial assistance documents for completeness and accuracy; negotiates with absent parent to arrange a voluntary consent support agreement; conducts initial assessment of applicants employability and makes appropriate referrals; provides information to families and individuals to achieve self-sufficiency through employment opportunities and/or child support services; duties performed involves more discretion and independent judgment than those performed by the Human Services Specialist 1; does other related work.

The definition section of the job specification for Human Services Specialist 3 states:

Under direction in a welfare agency, performs office and field work pertaining to the review/analysis and evaluation of cases to determine clients' eligibility for program services and/or the validity of decisions made regarding program assistance; does the field and office work involved in the collection, recording, analysis and evaluation of data for the purpose of determining eligibility, the employability, the medical status and the physical or mental health of clients; as a lead worker, instructs and guides lower level employees in the work of collecting, recording, analyzing and evaluation of data; assists supervisory personnel in the operation of their duties; does related work.

First, in making classification determinations, emphasis is placed on the definition section of the job specification to distinguish one class of positions from another. The definition portion of a job specification is a brief statement of the kind and level of work being performed in a title series and is relied on to distinguish one class from another. 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. 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 crux of the issue herein is whether or not the appellant is a lead worker. Her position was classified as HSS2 partly on the basis that she 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. Training higher level employees, contractors, individuals in other units or agencies, being a subject matter expert, or answering a question intermittently, does not constitute a lead worker.

A review of the appellant's PCQ indicates that she stated that for 10% of her time, she handles difficult cases requiring extensive research, maintains essential records and files, works with frequent interruptions; answers questions and provides guidance to employees in lower level positions as to policies, procedures, regulations, specific tasks, and job techniques; and, performs technical methods to learn and utilize various types of electronics, manual recordings, and information systems used by Social Services Agency. Since for 10% of her time the appellant performs these many tasks, she does not answer questions and provide guidance to employees in lower level positions for this entire amount of time. Given three groupings of tasks, the appellant may answer questions and provide guidance for 3% of her time, more or less. There are no other tasks involving lead worker duties on her PCQ. Further, any time spent training others in the past, prior to the classification review, cannot be considered. Classification reviews are based on a current review of assigned duties and any remedy derived therefrom is prospective in nature since duties which may have been performed in the past cannot be reviewed or verified. Due to the evolving nature of duties and assignments, it is simply not possible to accurately review the duties an employee may have performed six months ago or a year ago or several years ago.

The appellant answered “yes, occasionally” to the question “Does this position supervise other employees?” but indicated that she does not complete performance evaluations. She left blank the box asking for the names and titles of those supervised. In this respect, when a title is supervisory in nature, the Commission has found that, along with the myriad of other supervisory duties that must be performed, the essential component of supervision is the responsibility for formal performance evaluation of subordinate staff. *See In the Matter of Timothy Teel* (MSB, decided November 8, 2001). As such, to be considered a supervisor, the individual must be the person administering and signing off on the evaluation as the subordinate’s supervisor. A review of the record does not establish that the appellant performs such duties. Further, the appellant does not supply the names of any individuals who she may supervise or lead. She indicated that she reviewed the completed work of others, then did not state whose work this was. If the appellant cannot name those that she leads, she is not leading others in the title series on a regular and recurring basis.

Additionally, the appellant’s supervisor indicated that the most important duty of the position was to determine continued eligibility for Medicaid cases in a timely fashion. This agrees with the appellant’s PCQ, as she indicates that she performs aspects of this function for 85% of the time. The appellant’s supervisor states that the appellant is not expected to instruct employees, and she does not review or assign work to anyone. The evidence does not suggest that lead worker duties occur on a regular and recurring basis. It is noted that performing such duties in the absence of supervisors is not considered to be regular and recurring. Lastly, the supervisor indicates that she or an HSS3 checks that work is correct before approval.

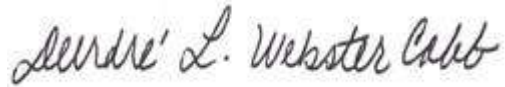
Accordingly, since the preponderance of the appellant’s duties fall under the definition of HSS2, the position is properly classified in that title. Therefore, a thorough review of the entire record fails to establish that the appellant has presented a sufficient basis to warrant a HSS3 classification of her 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 24TH DAY OF AUGUST, 2022



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