



STATE OF NEW JERSEY

In the Matter of Marsha Apffel,
Department of Environmental
Protection

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

CSC Docket No. 2023-237

Classification Appeal

ISSUED: September 21, 2022 (SLK)

Marsha Apffel appeals the determination of the Division of Agency Services (Agency Services) that the proper classification of her position with the Department of Environmental Protection is Agency Services Representative 3 (ASR3). The appellant seeks an Agency Services Representative 4 (ASR4) classification.

The record in the present matter establishes that the appellant’s permanent title is ASR3. The appellant sought reclassification of her position, alleging that her duties were more closely aligned with the duties of an ASR4. The appellant is assigned to Natural and Historic Resources, Division of Parks and Forestry, State Parks Service, Central Region 2, Delaware & Raritan Canal State Park and she reports to Patricia Kalleser, Superintendent Parks and Forestry 4. The appellant has no direct supervisory responsibility. In support of her request, the appellant submitted a Position Classification Questionnaires (PCQ) detailing the duties that she performs as an ASR3. Agency Services reviewed and analyzed the PCQ, an organization chart, her statements, the statements of her supervisor, program manager and/or division director and the appellant’s most recent Performance Assessment Reviews and all information and documentation submitted. Additionally, Agency Services conducted a telephone interview with the appellant and Kalleser on May 12, 2022.

Agency Services found that the appellant’s primary duties and responsibilities entailed, among other things: managing all billing procedures and encumbrance

reports; maintaining accurate records of account allocations and balances; tabulating and typing all vendor purchase orders accurately for two State Park locations; ensuring all revenue collections and deposits are made in accordance with rules, regulations, policies, and procedures; operation of cash register, credit card machine, and issuing receipts for services rendered; issuing State Park Service Boat Launch permits, Special Use permits, and various resale items; and coordinating, organizing, and processing purchase card transactions for Central Regional employees. In its decision, Agency Services determined that the duties performed by the appellant were consistent with the definition and examples of work included in the job specification for ASR3.

On appeal, the appellant states that in October 2020, she was appointed to be the site supervisor for the Bull Island Recreation Area AmeriCorps Watershed Ambassadors program. She presents that she guided Ambassadors and assisted them with their questions and needs for their project. The appellant indicates that she performed these duties until July 2022. The appellant notes that her site will be hosting Ambassadors from September 2022 to July 2023 and she submits the Ambassadors' hours during this time. She indicates that between April 1 and November 1, she oversees and supervises between two and 10 hourly employees. The appellant states that due to staff shortages, the park kept staff on through the off-season. She indicates that these hourly staff are called in the winter to shovel snow, educate, and support the park as needed for events, public safety, and storm response. The appellant provides that she ensures that all hourly staff receive proper training, handles the scheduling, and enters and improves timesheets.

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 ASR3 (A16) job specification states:

Under the general supervision of a supervisory official in a state department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides specialized information to customers regarding department/agency programs and services; handles the more complex and/or sensitive customer issues, requests and complaints; does other related work as required.

The definition section of the ASR4 (A20) job specification states:

Under the direction of a supervisory official in a state department, agency, or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides varied information to customers regarding department/agency programs and services; handles the most complex and/or sensitive customer issues, requests and complaints; functions in a lead worker capacity; does other related work as required.

In this present matter, a review of the job specification definition sections indicates that one of the distinguishing characteristics between the two titles is that ASR4s may be lead workers, while ASR3s are not. 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. 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. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations. Being a lead worker does not mean that the work is performed by only one person, but involves mentoring others in work of the title series. *See In the Matter of Henry Li* (CSC, decided March 26, 2014).

A review of the appellant's PCQ indicates that she oversees seasonal staff. This duty is listed in a section on her PCQ along with other duties. Further, the appellant indicated on her PCQ that the duties in this section comprised three percent of her time. Therefore, based on the appellant's description of her duties, her oversight of seasonal workers was not a primary duty as these duties took less than three percent of her time. Regarding the appellant's statements about Ambassadors, providing guidance and assisting them with questions and needs for their project is not the same as being a lead worker which involves leading employees in the same or lower title by training, assigning and reviewing the work of other employees on a regular and recurring basis.

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 21ST DAY OF SEPTEMBER, 2022

Dolores Gorczyca

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