



Bureau, and to whom the Deputy Executive Director also reports. He argues that he has equivalent management breadth, depth and scope as the Deputy Executive Director, and that no other position in the Division is functioning at his level and has a title that is less than a class code 34.

As to duties, the appellant argues that since the inception of the position, the duties and responsibilities have evolved so that he develops recommendations for improving the management, organization and efficiency of State operations that impact other organizations, and he references his first duty on the PCQ, performed 50% of the time, and which is broken down into seven separate duties. He provides a more extensive description of each of these duties: Geolocation; Fraud Reporting; Election Security; Cybersecurity; Illegal Gaming Intelligence; Taxation of Revenue; and, Responsible Gaming. He states that his duties include managing the work operations or functional programs of a software development team, including assigning work; project management oversight of Information Technology (IT) projects; consulting with others to define business processes and determining functional requirements in the design or enhancement of current technologies; evaluating end user feedback on systems and processes and directing adjustments and modifications; managing financial oversight of projects; acting as agency representative for various cybersecurity and IT related projects; evaluating new or enhanced technologies and determining their applicability for improved administrative practices and information sharing; providing technical advice; and supervising staff in the development of IT applications and enhancements, in conducting cost savings benefit announcements pertaining to IT projects, and in evaluating new and enhanced technologies and practices.

## 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 if 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 the title Administrative Analyst 4, Information Systems states:

Under the general supervision of a supervisory official in a State department or agency, performs and supervises the analysis and evaluation of internal operations, business practices, methods, and techniques of an agency to determine optimal solutions and/or approaches to satisfy agency information technology (IT) business needs/initiatives; evaluates users' needs and recommends IT solutions; provides recommendations in support of the agency's business needs

and IT goals and objectives; formulates, recommends and/or approves IT policies and procedures; supervises staff and work activities; prepares and signs official performance evaluations for subordinate staff; does other related duties as required.

The definition section of the job specification for the title Supervising Management Improvement Specialist states:

Under direction of the Director of Administration or other executive officer in a State department, has charge of the work of the unit that is charged with performing problem solving services for State agencies in areas that are described as organizational designs, operating procedures, information systems, and management and administrative planning and controls; does related work as required.

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.<sup>2</sup>

Next, it is noted that the two titles are in different occupational groups. The use of occupational group categorizations, as recognized by the United States Department of Labor, was determined to be a reasonable and objective method for identification of job similarities as required by *N.J.A.C. 4A:8-2.1* title rights criteria and the same criteria are uniformly applied to all titles in the State Classification Plan. Agency Services uses the Dictionary of Occupational Titles as a starting point for the development of 39 broad occupational groupings to enable the appropriate categorization of State job titles, which were customized to account for the uniqueness of occupations in the Civil Service. Additionally, job specifications were used for the basis for the categorization into occupational groups. *See In the Matter of State Layoff Title Rights*, Docket No. A-5847-95T3 (December 9, 1997). The Administrative Analyst, Information Systems variant belongs in Occupational Group 1 (Occupations in Professional/Technical/Managerial) and in Family 12 (Information Processing Systems), with the sub-category 120 (Data and Voice Communication Network). Occupations in this family are concerned with the application of information processing methods and techniques to store, manipulate, transform, or present information by means of computer systems, including that of the development of application system and software, hardware systems designed, and telecommunications systems. The Supervising Management Improvement

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<sup>2</sup> *See In the Matter of Patricia Lightsey* (MSB, decided June 8, 2005), *aff'd on reconsideration* (MSB, decided November 22, 2005).

Specialist belongs in Occupational Group 1 (Occupations in Professional/Technical/Managerial) and in Family 16 (Administrative Specializations). Occupations in this family are concerned with a variety of a professional administrative specializations related to internal operations and supporting agency goals and objectives involving utilization of new resources other than fiscal, such as formulating and recommending policies and administering programs; human resources management and labor relations; and program compliance review. While these two titles are in the same Occupational Group (Group 1 -- Professional/Technical/Managerial) they are in different Families. That is, they perform dissimilar duties and have dissimilar responsibilities.

The use of the title Supervising Management Improvement Specialist is rare in the State, with only nine current incumbents. An incumbent in this title gathers and uses information to evaluate the performance of different organizational resources such as human, physical, financial and also the organization as a whole considering the organizational strategies. The function of a Management Improvement Specialist is to develop recommendations for improving the management, organization and efficiency of State operations. It is not used for positions with an emphasis on computers or IT. Further, Supervising Management Improvement Specialist is in the "V" Employee Relations Group (ERG), which represents confidential second-level supervisors, and is typically connected with labor relations and personnel administration, and regularly assists or reports to management responsible for formulating effective policy and handling confidential matters. While the appellant reports to the head of the Technical Services Bureau, that position is not in labor relations and personnel administration and responsible for regularly handling confidential matters. Further, the appellant is not a second level supervisor. For these reasons alone, the position is not properly classified as Supervising Management Improvement Specialist.

The Administrative Analyst base title has six active variants. The Administrative Analyst 4, Information Systems performs such duties as analyzing current operational procedures, rules and practices and determining feasibility for automation; identifying problem areas and developing solutions; studying the existing information processing systems, determining system requirements, and directing system and application needs analyses; recommending enhancements, new systems, applications software, and services; planning, developing, implementing and maintaining new or enhanced systems, and supervising these activities; and planning and supervising testing activities for systems, among other duties.

The primary functions of the appellant's position include: for 50% of his time, developing recommendations regarding the management, organization and efficiency of State operations on various projects (Geolocation, Online fraud, etc.); for 10% of his time determining the scope of work and objectives for studies and

assigns staff; and he performs eight other duties each for 5% of the time. These duties include monitoring the status of projects, suggesting improvements, supervisory duties, liaising with other agencies, notifying executives and managers of problems and new ideas, and guiding staff. These functions more closely match those of Administrative Analyst 4, Information Systems than Supervising Management Improvement Specialist.

Accordingly, a thorough review of the entire record fails to establish that Rodney Rickenbach has presented a sufficient basis to warrant a Supervising Management Improvement Specialist 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 21<sup>ST</sup> DAY OF SEPTEMBER, 2022

*Dolores Gorczyca*

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