



**STATE OF NEW JERSEY**

In the Matter of Charles Angelus,  
Salem County, Office of the Sheriff

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

CSC Docket No. 2021-1930

Classification Appeal

**ISSUED: January 18, 2023 (ABR)**

Charles Angelus appeals the May 24, 2021, classification decision of the Division of Agency Services (Agency Services).

Angelus was permanently appointed as a County Correctional Police Lieutenant with the Salem County Sheriff’s Office, effective February 4, 2019. Agency Services conducted a classification review in response to a request by the Police Benevolent Association Local No. 400 (PBA 400), which contested Salem County’s assignment of a County Correctional Police Lieutenant to supervise County Correctional Police Officers in the areas of maintenance work in and around the correctional facility. PBA 400 argued that those duties were out-of-title. Based upon the classification review request, Angelus submitted a Position Classification Questionnaire (PCQ) detailing the different duties he performed. In his PCQ, Angelus stated, in relevant part, that he supervised two squads of officers and civilian maintenance/grounds workers and their daily tasks; supervised informational technology employees and operations; and supervised maintenance operations in the facility.

Agency Services conducted a review of Angelus’ PCQ and a telephone audit completed by Angelus, his supervisor, and Undersheriff/Warden John Cuzzupe. Agency Services found that Angelus was responsible for the supervision of five County Correctional Police Officers while they directly supported the safety, security, and welfare of inmates; supervised County Correctional Police Officers that

performed maintenance duties in the facility; and performed information technology support functions in support of the facility. Agency Services found that based on the primary duties of Angelus' position, his title was properly classified as County Correctional Police Lieutenant, but that he was not responsible for the supervision of two County Correctional Police Sergeants, as required pursuant to the job specification, and that it was therefore necessary to assign him the supervision of two County Correctional Police Sergeants in order for him to remain properly classified as a County Correctional Police Lieutenant. Further, Agency Services stated the supervision of skilled "maintenance" duties needed to be removed, as such duties were inconsistent with the County Correctional Police Lieutenant job specification.

On appeal to the Civil Service Commission (Commission), the appellant states that because of his abilities and skill set, he had been assigned to work in the capacity of an information technology supervisor, maintenance supervisor, and operational supervisor. He also presents that because the Salem County Correctional Facility is a small facility, it is important to the operation of the facility to allow the administration the flexibility to assign Lieutenants to specialized duties that cannot be outfitted with two squads of officers and their sergeants. The appellant avers that the requirement in the job specification for County Correctional Police Lieutenant that incumbents supervise two squads of officers and their sergeants is too restrictive for smaller facilities where it is not feasible and would negatively impact the safe operation and staffing of the facility. The appellant asks the classification of his position as County Correctional Police Lieutenant be upheld, but a revision of the title definition be considered, so as to permit smaller correctional facilities to assign County Correctional Police Lieutenants like him to specialized responsibilities without requiring unnecessary staff. The appellant accepts Agency Services' determination that the supervision of skilled labor should be removed from his position.

In support, the appointing authority accepts that the supervision of skilled maintenance duties should be removed, but that Angelus' remaining duties, including information technology supervision, should remain. In this regard, it argues that for smaller county correctional facilities it is vital to have the flexibility to assign County Correctional Police Lieutenants to specialized duties that cannot be outfitted with two squads of officers and their sergeants. The appointing authority avers that the vital importance of some responsibilities in its facility require executive management-level supervision without necessitating "direct" supervision of officers and sergeants. The appointing authority proffers that such vital duties requiring the supervision of specialized County Correctional Police Lieutenants include maintenance operations, information technology/CCTV operations, logistics, internal investigations, and use of force meaningful review processes. The appointing authority maintains that the nature of such special assignments does not require a complete contingent of staff consisting of two squads of officers and their sergeants. Additionally, it contends that it would not be operationally or fiscally possible to

assign County Correctional Police Officers and Sergeants to County Correctional Police Lieutenants who are assigned specialized duties.

PBA 400, represented by Frank C. Cioffi, Esq., argues that the Commission should deny the appeal of Angelus and the appointing authority. It maintains that the appointing authority has not assigned Angelus the supervision of two County Correctional Police Sergeants in accordance with Agency Services' determination. It further contends that the appointing authority has not offered sufficient support for its contention that Angelus should not be required to supervise two County Correctional Police Sergeants, as it has not demonstrated why Angelus needs to be in the title of County Correctional Police Lieutenant to serve the needs of the Warden. PBA 400 avers that Angelus' assigned duties can be capably performed by an incumbent in the title of County Correctional Police Sergeant. PBA 400 avers that Angelus' duties and responsibilities are commensurate with the definition of County Correctional Police Sergeant, as the primary distinction between the two titles is that a County Correctional Police Lieutenant supervises a County Correctional Police Sergeant. Moreover, it argues that the appointing authority's fiscal responsibility argument must fail because the appointing authority has not provided any evidence that having Angelus serve in the County Correctional Police Lieutenant title without assigning him supervisory responsibilities would be fiscally advantageous. Conversely, it notes that if Angelus were performing these duties in the title of County Correctional Police Sergeant, the appointing authority would save more than seven dollars per hour. Accordingly, PBA 400 argues that the appointing authority should either promote an officer to the title of County Correctional Police Sergeant to perform Angelus' responsibilities and assign Angelus to a Lieutenant's post to supervise squads of officers and their sergeants or the appointing authority should promote two officers to the position of County Correctional Police Sergeant to be supervised by Angelus.

## 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 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.

Prior to January 4, 2022, the Definition section for job specification for County Correctional Police Lieutenant stated:

Under direction during an assigned tour of duty within an adult county correctional facility or institution, supervises at least two squads of officers and their sergeants, reviews their work performance and assists them with complex assignments and/or difficult inmates; performs other related duties as required.

The Definition section of the job specification for County Correctional Police Lieutenant was amended, effective January 4, 2022, and now provides:

Under direction during an assigned tour of duty, has charge of correctional programs and staff within an adult county correctional facility or institution; supervises subordinate officers or other personnel on a shift; may perform specialized, administrative/security police work as assigned; performs other related duties as required.

The Definition section of the job specification for County Correctional Police Sergeant states:

Under direction during an assigned tour of duty within an adult county correctional facility or institution, supervises the day-to-day operations, activities and staff responsible for performing a wide variety of tasks in support of the safety, security and welfare of inmates, facility personnel and visitors; may assist with the more difficult assignments and/or inmates; does other related duties as required.

In the instant matter, the appellant and the appointing authority argue that Agency Services properly classified the appellant as a County Correctional Police Lieutenant but that the requirement from the job specification that he supervise two squads of County Correctional Police Officers and their Sergeants is too restrictive for a small facility like the Salem County Correctional Facility. They further contend that he should be permitted to continue his role in supervising information technology services at the facility, given the facility's needs and limited resources. In making classification determinations, emphasis is placed on the Definition section 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. On the other hand, the Examples of Work portion of a job description provides typical work assignments which are descriptive and illustrative and are not meant to be restrictive or inclusive. *See In the Matter of Darlene M. O'Connell* (Commissioner of Personnel, decided April 10, 1992). Although the Definition section of the County Correctional Police Lieutenant job specification at the time of Agency Services' audit required the supervision of two squads of officers and their sergeants, the Definition section of the amended job specification for this title, which took effect on January 4, 2022, no longer contains such an explicit requirement. Rather, it provides for a more flexible

supervisory requirement which permits the supervision of “subordinate officers or other personnel on a shift.” Additionally, it adds that incumbents “may perform specialized, administrative/security police work as assigned.” Additionally, the examples of work, indicate in part, that incumbents “[m]ay perform specialized, administrative/security tasks as assigned.” Here, as conceded by the appellant and the appointing authority, Agency Services correctly determined that the assignment of supervision of maintenance personnel should be removed from the appellant. As to the assignment of information technology support duties to the appellant’s position, the Commission finds such duties to be inconsistent with the title of County Correctional Police Lieutenant, as these duties do not fit within any of the categories enumerated in the job specification’s Definition section or qualify as “other related duties.” As such, these responsibilities must also be removed. Finally, as to the question of supervision, since the job specification no longer explicitly requires the supervision of two squads of officers and their Police Sergeants, the Commission finds that it is no longer necessary for the appellant to specifically supervise County Correctional Police Sergeants. Rather, so long as Angelus “has charge of correctional programs and staff” during his assigned tour of duty, his supervision of County Correctional Police Officers is consistent with the broader “supervis[ion of] subordinate officers or other personnel on a shift” provided under the current job specification for his permanent title.

### **ORDER**

Therefore, the position of Charles Angelus is properly classified as County Correctional Police Lieutenant. It is further ordered that, within 30 days of receipt of this determination, his supervision of maintenance personnel and information technology support duties be removed. The appointing authority shall submit evidence of its actions to Agency Services.

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 18<sup>TH</sup> DAY OF JANUARY, 2023



---

Allison Chris Myers  
Acting Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

c: Charles Angelus  
Charles M. Miller III  
Doug Merckx  
Frank C. Cioffi, Esq.  
Division of Agency Services  
Records Center