

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, SS.

**CIVIL SERVICE COMMISSION**  
One Ashburton Place: Room 503  
Boston, MA 02108  
(617) 979-1900

LASHAWNNYA THOMAS,  
*Appellant*

v.

C-18-015

MASSACHUSETTS DEPARTMENT  
OF TRANSPORTATION,  
*Respondent*

Appearance for Appellant:

*Pro Se*  
LaShawnnya Thomas

Appearance for Respondent:

Jennifer S. Doig, Esq.  
Labor Counsel, MassDOT  
Department of Transportation  
10 Park Plaza, Suite 2740  
Boston, MA 02116

Commissioner:

Cynthia A. Ittleman

**DECISION**

On January 19, 2018, the Appellant, LaShawnnya Thomas (Appellant), pursuant to G.L. c. 30, § 49, filed an appeal with the Civil Service Commission (Commission), contesting the decision of the state's Human Resources Division (HRD), in which HRD affirmed the Massachusetts Department of Transportation (MassDOT)'s denial of her request to be reclassified from Customer Service Representative III (CSR III) to Program Coordinator III (PC III). On February 20, 2018, a pre-hearing conference was held at the offices of the

Commission. I held a full hearing at the same location on April 4, 2018.<sup>1</sup> The hearing was digitally recorded and both parties were provided with a usb drive containing a recording of the hearing.<sup>2</sup> Both parties filed post-hearing briefs.

**FINDINGS OF FACT:**

Two (2) Appellant Exhibits (Exhibits 1A-1B) and nineteen (19) MassDOT Exhibits (Exhibits 1-2, 3A-3I, 4-11) were entered into evidence at the hearing. Based on these exhibits, the testimony of the following witnesses:

*For the Appellant:*

- LaShawwnya Thomas, Appellant

*For MassDOT:*

- Gretchen Daley, Director of Titles and Registration, Registry of Motor Vehicles
- Elizabeth Rizzuto, Manager of Titles and Registration, Registry of Motor Vehicles
- Joan Makie, Manager of Human Resources Service and Operations, MassDOT

and taking administrative notice of all matters filed in the case, and pertinent rules, statutes, regulations, case law, policies, and reasonable inferences from the credible evidence; a preponderance of credible evidence establishes the following facts:

1. The Appellant is employed with MassDOT in the Mail-In Registration Department of the Registry of Motor Vehicles (RMV) at its Quincy headquarters, and is currently classified as a Customer Service Representative IV (CSR IV). (Exhibits 3A, 3C; Testimony of Appellant)
2. Appellant holds an associate's degree in business management and accounting principles from the Katharine Gibbs School. She has taken various professional development courses

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<sup>1</sup> The Standard Adjudicatory Rules of Practice and Procedure, 801 CMR §§ 1.00 (formal rules) apply to adjudications before the Commission with Chapter 31 or any Commission rules taking precedence.

<sup>2</sup>The Commission subsequently had a written transcript of the hearing prepared.

through the state's on-line PACE program, and is currently studying business management at the University of Southern New Hampshire through the College for America program.

Appellant was chosen for a scholarship to pursue that program, which allows her to work towards her college degree on-line at her own pace. (Testimony of Appellant; Exhibits 3A, 3B)

3. The Appellant began work with the RMV on June 28, 1992 as Administrative Secretary to the Director of Driver Licensing. (Exhibits 4, 3B). In 2001, she was promoted to Customer Service Representative II and assigned to the RMV's Customer Contact Center. She was promoted to CSR III while in the Customer Contact Center. (Testimony of Appellant; Exhibit 3A)
4. The RMV became part of MassDOT in 2009. (Testimony of Appellant)
5. In November 2011, the Appellant was assigned to supervise the Mail-In Registration Department within the Title and Registration Unit of the RMV. The Mail-In Registration Department had been without supervision since May 2011, when the previous supervisor had retired. (Exhibit 3A; Testimony of Appellant)
6. The Mail-In Registration Department processes a high volume of correspondence and checks relating to vehicle registration and titles that arrive at the RMV by mail, rather than through the MassDOT website. Staff open and batch more than 500,000 pieces of mail annually, then run it through heavy volume scanning equipment that converts correspondence, including checks, into digital files and electronic cash deposit letters. The unit employees then go into the database to make corrections and forward the files to the RMV information processing and revenue operations departments, which use them to issue titles and registrations and to

make bank deposits. Unit staff also handle telephone inquiries. (Testimony of Appellant; Testimony of Daley; Exhibits 3A, 3C)

7. When she began her job in the Mail-In Registration unit, the Appellant found that each staff member had a single job and had not been trained in all the functions of the unit. Not all employees were able to operate the scanning machines. They also were not using email or entering their time sheets and leave requests. After teaching herself how the unit worked, Appellant began cross-training each employee in all functions of the unit, including scanning and accounting. (Exhibit 3A; Testimony of Appellant)
8. Appellant also applied management strategies, including weekly one-on-one meetings with her employees, seeking their suggestions for improving the unit's functioning, sending them to trainings to learn overall goals for the RMV, and suggesting to management both progressive discipline and compliments when needed or deserved. Appellant created reports to measure incoming work and a forecasting measure to predict if the unit might not meet a target, so that she could consult with managers and adopt strategies to avoid falling behind, such as requesting temporary help. She wrote a basic step-by-step operating procedure for the unit to assist current and future employees and to avoid losing knowledge when employees left the office. She also prepared time studies to increase the unit's efficiency and instituted auditing procedures. (Exhibit 3A; Testimony of Appellant)
9. On four occasions, Appellant assisted part-time with special projects. In 2014 she spent two to three months acting as the subject matter expert for a project with the vendor Unisys, which was hired to create a system for the Unisys NDP-250 high volume scanners to create an electronic cash letter, or digital cash deposit, so that funds paid for registrations by check could be electronically deposited in the RMV's account at the Bank of America. During the

months when the vendor was on site, Appellant spent about 55 percent of her time working with the engineer and answering questions, as well as with the RMV's departments of Information Technology (IT) and Revenue Operations. (Testimony of Appellant and Daley; Exhibit 3A)

10. At some point after 2014, Appellant worked on a second, two-month project with the Unisys engineers when the RMV moved from Bank of America to Santander, spending about the same time working with the vendor's engineer and other RMV departments. (Testimony of Appellant; Exhibit 3A)

11. On a third occasion, Appellant worked for about a month on a third Unisys project, when the RMV again changed banks, this time returning to the Bank of America. (Testimony of Appellant; Exhibit 3A)

12. Appellant also described a project she worked on more recently with her supervisors, her manager Elizabeth Rizzuto and her director Gretchen Daley, to improve her unit's efficiency. The project was assigned by the MassDOT's Office of Performance Management and involved creating metrics to measure performance and making changes to improve efficiency. Appellant attended meetings and helped test proposed changes. (Testimony of Appellant, Testimony of Daley)

13. One of Appellant's successes in improving efficiency was described by her director, Gretchen Daley. During peak seasons, the Mail-In Registration unit generally needed extra staff to handle the extra work in the fall and again in June. Also, when the unit was not able to keep current, customers would call or come into service locations to complete their registrations, creating more work and sometimes creating errors where duplicate registrations were created. In the fall of 2017, Appellant was able to keep the unit ahead of its work for

the first time without using any extra staff, which created a more streamlined and efficient process. (Testimony of Daley)

14. During her special projects, Appellant continued to supervise the Mail-In Registration Department and continued to help with scanning and renewal transactions, which required “all hands on deck.” During typical times, Appellant estimated that she spent 70 to 80 percent of her time working on transactions. (Testimony of Appellant)
15. Gretchen Daley, the Director of the Title and Registration Department, estimated that Appellant spent about 40 percent of her time helping her staff process transactions and about 60 percent of her time on management tasks. (Testimony of Daley)
16. After the Unisys projects were completed, the Unisys engineer would make a monthly site visit pursuant to the maintenance contract, and Appellant would bring up any issues that had arisen. She would also speak with the engineer by telephone in between visits if an issue arose, to be sure she managed the situation correctly. (Testimony of Appellant)
17. Appellant worked largely independently as the supervisor of the Mail-In Registration Department. Although she would reach out to her manager Elizabeth Rizzuto and the division’s Director Gretchen Daley if problems arose or she needed assistance, neither supervisor assigned work to her. Ms. Rizzuto prepared and signed Appellant’s EPRS (Employee Performance Review System) form. (Testimony of Appellant, Testimony of Daley, Testimony of Rizzuto; Exhibit 11)
18. Appellant supervised seven employees, five clerks and two receiving tellers. The clerks all held titles of CSR I or CSR II. Appellant assigned the employees’ work and prepared their EPRS forms. None of her employees supervised other people. (Testimony of Appellant, Testimony of Daley, Testimony of Rizzuto; Exhibit 11)

19. The organizational chart for the RMV's Title and Registration Department as of 2015 shows six units that have supervisors at the Appellant's level. Besides the Appellant, who was a CSR III, the supervisors held titles of PC III (Supervisor, Special Plates and Uninsured Motorist System), Training Tech II (Supervisor, Electronic Vehicle Registration), PC I (Supervisor Section 5 or dealer plates), Admin Review Officer I (Supervisor, International Registration Plan and Federal ID), and CSR II (Floor Supervisor, in Title Records). Additional employees with PC III titles are shown on the chart who do not supervise any other employees. (Exhibit 3D; Testimony of Appellant, Testimony of Daley)
20. One of the PC III employees shown on the RMV Title and Registration Department organizational chart, the supervisor of special plates and uninsured motorist system, functions as an operations manager. This person supervises five people. Based on Gretchen Daley's observations, this person also spends approximately 40 percent of her time processing transactions and about 60 percent of her time performing management functions. (Exhibit 3D; Testimony of Daley)
21. On September 21, 2015 the Appellant filed a classification appeal to the MassDOT Human Resources Department (MassDOT HR), seeking the title of Program Coordinator III (PC III). (Exhibit 1)
22. An audit interview was conducted on October 20, 2015 by Evelyn Smith, MassDOT Personnel Analyst. Prior to the audit interview, appellant provided Ms. Smith with her resume and a five-page interview guide, and her supervisor, Elizabeth Rizzuto, Manager of the RMV Titles and Registration Department, provided answers to questions concerning Appellant's duties. A different HR representative was assigned to Appellant's case when it was considered by MassDOT HR in 2017. (Testimony of Appellant; Exhibits 3A, 3B, 3C)

23. On March 1, 2016 a new Classification Specification became effective for the Customer Service Representative title series. The new specification added a new title of Customer Service Representative IV (CSR IV) and redefined the positions of CSR I, CSR II, and CSR III. The change arose as part of a review by the Registrar of all positions at the RMV, in order to improve service delivery. One goal of the changes to the CSR series was to increase the minimum entrance requirements so that new employees would have more experience handling cash and working with the public. (Exhibits 3H, 10; Testimony of Makie)
24. From February to June 2017, the Appellant contacted various MassDOT HR employees to request that her 2015 appeal be processed. (Testimony of Appellant; Exhibit 8)
25. On or before July 11, 2017 the MassDOT HR completed its Classification Appeal Recommendation, recommending that she retain her classification of CSR III for the period of her appeal to February 28, 2016, and that she be reclassified as CSR IV beginning on March 1, 2016 (the date when the CSR IV title became effective). The recommendation was signed by Registrar of Motor Vehicles Erin Deveney on July 11, 2017 and by MassDOT Human Resources Manager Joan Makie on August 18, 2017. (Exhibit 4)
26. On September 14, 2017, Boris Lazic, Senior Director of Human Resources for MassDOT, sent the Appellant a letter notifying her of the preliminary recommendation to deny her appeal to be reclassified as PC III, but approving her appeal to the extent of reclassifying her as CSR IV. The reason given was that the title of CSR IV appropriately described the duties performed by the Appellant on a daily basis. Mr. Lazic enclosed copies of the documents relied upon by MassDOT HR and provided Appellant with her right to send a rebuttal within ten days. (Exhibit 5)
27. On September 20, 2017, Appellant wrote to Mr. Lazic seeking reconsideration. (Exhibit 6)



28. On October 6, 2017, Mr. Lazic notified the Appellant that her appeal was denied by MassDOT HR. He informed her of her right to appeal to the Commonwealth's Human Resources Division (HRD). (Exhibit 7)
29. On October 24, 2017, the Appellant sent her appeal letter to George Bibilos, Director of the Organization Development Group at the Commonwealth's HRD, enclosing all documents related to her appeal. (Exhibit 8)
30. On December 26, 2017, Alexandra McGinnis, Senior Personnel Analyst in HRD's Classification and Compensation Unit, wrote the Appellant notifying her that her appeal seeking classification as a PC III was denied, and that HRD had concluded that Appellant's duties are best classified as CSR IV. Ms. McGinnis also provided Appellant with her appeal rights. (Exhibit 9)
31. On January 25, 2018, Mr. Lazic wrote Appellant to notify her she would receive retroactive compensation of \$6,428.07 based on her reclassification to CSR IV as of March 1, 2016. (Exhibit 10)
32. The duties of a Program Coordinator III are set out in Exhibit 3I, the Classification Specification for the Program Coordinator series.
33. The series Summary describes the function of a Program Coordinator as follows:

Incumbents of positions in this series coordinate and monitor assigned program activities; review and analyze data concerning agency programs; provide technical assistance and advice to agency personnel and others; respond to inquiries; maintain liaison with various agencies; and perform related work as required.

The basic purpose of this work is to coordinate, monitor, develop and implement programs for an assigned agency.

(Exhibit 3I)

34. The PC Classification Specification lists the following under “Examples of duties common to all levels of the Program Coordinator series”:

- Coordinates and monitors assigned program activities to ensure effective operations and compliance with established standards.
- Reviews and analyzes data concerning assigned agency programs to determine progress and effectiveness, to make recommendations for changes in procedures, guidelines, etc. and to devise methods of accomplishing program objectives.
- Provides technical assistance and advice to agency personnel and others concerning assigned programs to exchange information, resolve problems and to ensure compliance with established policies, procedures and standards.
- Responds to inquiries from agency staff and others to provide information concerning assigned agency programs.
- Maintains liaison with various private, local, state and federal agencies and others to exchange information and/or to resolve problems.
- Performs related duties such as attending meetings and conferences; maintaining records; and preparing reports.

(Exhibit 3I)

35. Under “Differences in Levels in Series” the PC Classification Specification states that those in the following levels, and those in higher levels, perform the following duties:

Program Coordinator II:

- Provide on-the-job training and orientation for employees.
- Develop and implement procedures and guidelines to accomplish assigned agency program objectives and goals.
- Review reports, memoranda, etc. for completeness, accuracy and content.
- Confer with management staff and other agency personnel in order to determine program requirements and availability of resources and to develop the criteria and standards for program evaluation.
- Evaluate program activities in order to determine progress and effectiveness and to make recommendations concerning changes as needed.

Program Coordinator III:

- Develop and implement standards to be used in program monitoring and/or evaluation.
- Oversee and monitor activities of the assigned unit.

- Confer with management staff and others in order to provide information concerning program implementation, evaluation and monitoring and to define the purpose and scope of proposed programs.

(Exhibit 3I)

36. Under “Supervision Received” the PC Classification Specification provides for those at each level, including PC III:

Incumbents of positions at this level receive general supervision from employees of higher grade who provide guidance on policy and procedure, assign work and review performance for effectiveness and conformance to laws, rules, regulations, policy and procedures.

(Exhibit 3I)

37. The PC Classification Specification provides under “Supervision Exercised” as to those at the PC III level:

**Program Coordinator III**

Incumbents of positions at this level exercise direct supervision (i.e., not through an intermediate level supervisor) over, assign work to and review the performance of 1-5 professional personnel; and indirect supervision (i.e., through an intermediate level supervisor) over 6-15 professional, administrative, technical and/or other personnel.

(Exhibit 3I)

38. The new Classification Specification for the Customer Service Representative Series, signed in December 2015 and effective in March 2016, provides under “Summary of Series”:

Employees in this series confer with agency customers and the general public by telephone, in person or in writing; assist agency customers and the public in applying for agency programs, services, licenses or permits; explain agency programs, services, procedures and fees; respond to inquiries; resolve complaints or refer them to appropriate staff; process applications and other documents; may enter application data into computers; establish and maintain coding and filing systems of case logs; may collect and record receipt of application fees; may prepare licenses or permits and may digitally image customers; provide information on certificates of titles, registrations, rebates, excise tax, sales tax, license and registration suspension, civil motor vehicle infractions, warrants, electronic toll and parking violations and other Registry of Motor Vehicle functions and procedures.

(Exhibit 3H)

39. Under “Examples of Duties Common to All Levels in Series” the CSR Classification

Specification provides:

- Interacts with customers to respond to inquiries and complaints.
- Issues licenses, identification cards and motor vehicle registrations.
- Communicates with internal and external contacts through a variety of means such as telephone, mail, e-mail, fax or in-person.
- Uses computer terminals, vision instruments, automatic testing devices and other equipment.
- Administers vision tests in accordance with agency policy.
- Operate computer equipment to create, retrieve, review, change or update driver/vehicle/business information.
- Ensure appropriate confidentiality and security of information.
- Reviews reports for compliance with state and federal guidelines.
- Collects fees (cash and checks) and performs credit card transactions.
- Reconciles receipts with revenue control documents.
- Operates computer terminals and photo imaging software.
- Schedules road examinations.
- Prepares forms and other documents related to licenses, registrations, identification cards and receipts for titles.
- Amends title and registration records.
- Maintains Registry of Motor Vehicle filing systems.
- Reviews customer documents in support of transactions for accuracy and veracity.
- Conducts research for additional information from third parties (other states, state agencies, etc.) to complete transactions.
- Assists other state and local agencies with Registry of Motor Vehicle information.
- Assists customers with problem resolution.
- Provides information to the public regarding Registry of Motor Vehicles guidelines, requirements and procedures in-person and on the phone.
- Greets customers, determines customer's purpose, assesses readiness, and directs them to the appropriate line.
- Directs customers to Kiosks and other automated services where appropriate.

- Assesses that customers have the correct forms/applications, supporting documents, and acceptable payment.
- Returns improper or incomplete forms or documents to the applicant explaining reasons for rejection and steps necessary to complete forms/applications.
- Provides checklists and assistance in completing forms/applications.
- Provides information to the public regarding Registry of Motor Vehicles guidelines, requirements and procedures in-person and on the phone.

(Exhibit 3H)

40. Under “Differences Between Levels in Series” the CSR Classification Specification

provides:

Customer Service Representative II:

- Provides technical assistance and guidance on tax exemption issues.
- Authorizes or denies sales tax exemptions for motor vehicles at the time of registration, based on evaluation of documentation and knowledge of both Registry of Motor Vehicles and Department of Revenue rules.
- Receives revenue for licenses, registrations, titles, sales tax and other fees and maintains records and accounts of all financial transactions in ALARS/Imaging system.
- Reconciles financial receipts and prepares daily bank deposits and work reports for designated branch office.
- Makes periodic daily collections of revenue from the clerical personnel at the public counter and reconciles accounts.
- Opens/closes branch offices, as needed.
- Reconciles daily branch deposits.

Customer Service Representative III:

- Assist customers with reporting, eligibility and compliance requirements; appropriate processes to follow, information to process and actions to take in accordance with standard procedures.
- Inquires with customers, as needed, to determine appropriate service; explains additional information or action required when customer fails to meet license or operating requirements.
- Performs senior level or lead customer service activities by providing assistance, guidance and instruction to less experienced customer service personnel.
- Perform research, analysis and judgment to determine an appropriate course of action to provide the public with the full range of services available.

- Oversees office operations.
- Provides training and support to employees.
- Ensures accuracy of cash control.
- Incumbents at this level perform work that requires considerable independence in the exercise of judgment, in determining approaches and in the interpretation and application of policies, laws, standards and procedures.
- Creates reports and statistical tables.

Customer Service Representative IV:

- Interpret, monitor and implement rules, regulations, policies and procedures for carrying out daily activities.
- Ensure that completed work meets standards of quality and timeliness.
- Supervises subordinate personnel including delegating assignments, training, monitoring and evaluating performance.
- Maintains efficient workflow by evaluating production and revising processes and work assignments.
- Adjusts own activities and priorities according to changes in workload, team member absences, and to enable team members to take appropriate breaks.
- Provides input regarding work plans, schedules and daily operations.
- Assists in office support tasks such as tracking inventories, ordering supplies and handling deposits.
- Oversees operations at satellite branch offices.
- Assists Branch Manager with operations at major branch offices, filling in when the Branch Manager is not available.
- At this level, incumbents are expected to perform or be able to perform the duties described for Levels I, II and III; however, the primary focus is to provide program oversight, guidance and review of others' work.
- Communicate with appropriate MassDOT enterprise service areas to address workplace facility and security issues.

(Exhibit 3H)

41. Supervision received by a CSR IV is described in the Classification Specification as:

Customer Service Representative IV

Incumbents of positions at this level receive general supervision from Branch Managers and other employees of a higher grade who provide procedural and policy guidance, assign work and review for effectiveness and compliance with laws, rules and regulations.

42. Supervision exercised by a CSR IV is described in the Classification Specification as:

Incumbents exercise direct supervision over, assign work to, provide training for and review the performance of Customer Service Representatives and provide indirect supervision to employees of a lower grade. Incumbents may also participate in the interviewing process or make recommendations for new hires.

*Legal Standard*

Any manager or employee of the commonwealth objecting to any provision of the classification of his office or position may appeal in writing to the personnel administrator and shall be entitled to a hearing upon such appeal . . . . Any manager or employee or group of employees further aggrieved after appeal to the personnel administrator may appeal to the civil service commission. Said commission shall hear all appeals as if said appeals were originally entered before it.

G.L. c. 30, § 49.

The Appellant has the burden of proving that she is improperly classified. “The determining factor of a reclassification is the distribution of time that an individual spends performing the function of a job classification.” Roscoe v. Department of Environmental Protection, 15 MCSR 47 (2002). In order to justify a reclassification, an employee must establish that she is performing distinguishing duties encompassed within the higher-level position the majority (i.e., at least 50% or more) of the time. *See, e.g.,* Pellegrino v. Department of State Police, 18 MCSR 261 (2005)(at least 51%); Morawski v. Department of Revenue, 14 MCSR 188 (2001)(more than 50%); Madison v. Department of Public Health, 12 MCSR 49 (1999)(at least 50%); Kennedy v. Holyoke Community College, 11 MCSR 302 (1998)(at least 50%). In making this calculation, it must be noted that duties which fall within both the higher and lower job title do not count as “distinguishing duties.” *See* Lannigan v. Department of Developmental Services, 30 MCSR 494 (2017).

That another employee may be misclassified “does not entitle the Appellant to the reclassification requested.” Gaffey v. Dept. of Revenue, 24 MCSR 380, 381 (2011).

*Parties’ Arguments*

MassDOT argues that Appellant’s duties fall squarely within the specifications for a Customer Service Representative IV and its inclusive lower level titles, which require her to exercise operational supervision over all aspects of the RMV’s Mail-In Registration Department. MassDOT also highlighted several duties within the CSR IV and lower level CSR specifications that require exercise of judgment, revision of work processes to promote efficiency, creation of reports and statistical tables, and providing “input” as to work plans, schedules, and daily operations.

In contrast, MassDOT argues that the Appellant’s primary duties do not fit within the agency “program activities” described in the Program Coordinator series or the PC III specifications. Included within the distinguishing duties of a PC III are “Develop and implement standards to be used in program monitoring and/or evaluation” and “Confer with management staff and others in order to provide information concerning program implementation, evaluation and monitoring and to define the purpose and scope of proposed programs.” Although another level-distinguishing duty of a PC III is “Oversee and monitor activities of the assigned unit,” this general description of supervision overlaps with many aspects of a CSR IV and CSR III and cannot serve as the basis for a reclassification. MassDOT argues that Appellant thus has not shown that she spends more than 50 percent of her time performing a duty that distinguishes PC III from CSR IV.

MassDOT also points out that Appellant’s supervisory duties are different in type and extent from those described in the PC III classification. PC III employees supervise 1-5 “professional



personnel” who in turn are collectively supervising 6-15 others. Appellant is supervising approximately 7 employees at the CS I and CS II level, who themselves do not supervise others.

Additionally, MassDOT argues that the existence of another employee holding the PC III title and performing comparable work cannot justify reclassification. Rather, the Commission must consider the work that the Appellant is performing and the classification standards.

The Appellant argues that the process used by MassDOT HR for evaluating her appeal was flawed because she was never interviewed and the agency was not fully aware of her duties and accomplishments. No desk audit of her duties was performed, and she was not consulted before being placed in the new title of CSR IV. By 2017, the personnel analyst who conducted her audit interview in 2015 had been replaced by a new MassDOT HR person. Additionally, her manager, Ms. Rizzuto, and her director, Ms. Daley, both began supervising the Mail-In Registration Department in 2014, so they were also not fully aware of the extent of her vendor project work or her reorganization of her unit’s work structure since 2011.

As to distinguishing duties, Appellant points out her work on vendor projects, her work with the Office of Performance Management to develop efficiency metrics, her implementation of new work processes to improve her unit’s service delivery, her creation of written standard operating procedures, her development of training measures, and the authority she was given to make decisions relating to vendor projects, technology, and maintenance. Appellant argues that her position requires great responsibility because of the millions of dollars in revenue it generates.

Appellant also lists many other areas in which employees within the Project Coordinator series are working in operational management.

Finally, Appellant points out her loyalty and dedication to the RMV.

### *Analysis*

This is a close case because of the extensive overlap between the duties of a CSR-IV and those of a PC III. Nevertheless, viewing the entirety of Appellant's position and duties within the Mail-In Registration Department, she is correctly classified as a CSR-IV. Despite her many projects and initiatives, Appellant has not shown that she devotes more than 50 percent of her time to the distinguishing duties of a PC III.

The record shows that Appellant has devoted extensive time, effort, and talent to improving the working conditions, productivity, and functioning of the RMV's Mail-In Registration Department. The appointing authority agrees that she is a valued and hard-working employee, and Appellant has documented her exemplary accomplishments and her devotion to furthering the RMV's mission to achieve a high level of service to the public.

Many of Appellant's activities over the years do fall within the functions of a Project Coordinator III. As MassDOT points out, the duties that distinguish a PC III from a CSR IV include development of "standards to be used in program monitoring and/or evaluation." Although Appellant's primary duties were not monitoring, she did create new protocols for her unit, including changing the training and work assignment processes, documentation of those processes, creating workload and forecasting reports, and instituting time management tools that improved efficiency. She also worked part-time on vendor projects that involved creation of new technical processes for scanning and electronic bank deposits.

Although her director testified that Appellant spent about 60 percent of her time on management, as opposed to working side-by-side with her staff on transactional duties, routine management duties do not distinguish a CSR IV from a PC III. Only a portion of Appellant's work as a manager involved creation of new standards for evaluating her staff and unit, or

defining the scope of a new program. Those duties occurred during sporadic intervals and were always accompanied by Appellant's careful attention to her other duties. Appellant herself estimated that she spent as much as 70 or 80 percent of her time on transactional work.

Additionally, a PC III is a second-tier supervisor, exercising supervision over a relatively small number (1-5) of "professional personnel," who are themselves supervising from 8 to 15 other employees. Although a CSR IV may provide indirect supervision through a CSR III, who supervises employees at a lower grade, Appellant in fact does not provide any indirect supervision, as her employees are all at the CSR I or CSR II level. The supervisory provisions of the PC III classification also reflect the overall function of a PC III, which involves development and monitoring of agency programs, rather than direct supervision of a program.

Finally, reclassification cannot be justified based on the classifications of other employees. To succeed in a request for reclassification, an employee must show that she devotes more than 50 percent of her time to duties within the distinguishing duties of the requested title. That other employees may be misclassified cannot support a reclassification request.

For all these reasons, the Appellant's appeal under Docket No. C-18-015 is hereby *denied*.

Civil Service Commission

/s/ Cynthia A. Ittleman

Cynthia A. Ittleman

Commissioner

By a vote of the Civil Service Commission (Bowman, Chairman; Camuso, Ittleman, Tivnan, and Stein, Commissioners) on April 8, 2021.

Either party may file a motion for reconsideration within ten days of the receipt of this Commission order or decision. Under the pertinent provisions of the Code of Mass. Regulations, 801 CMR 1.01(7)(1), the motion must identify a clerical or mechanical error in the decision or a significant factor the Agency or the Presiding Officer may have overlooked in deciding the case. A motion for reconsideration does not toll the statutorily prescribed thirty-day time limit for seeking judicial review of this commission order or decision.

Under the provisions of G.L. c. 31, § 44, any party aggrieved by this Commission order or decision may initiate proceedings for judicial review under G.L. c. 30A, § 14 in the superior court within thirty (30) days after receipt of this order or decision. Commencement of such proceeding shall not, unless specifically ordered by the court,

operate as a stay of this Commission order or decision. After initiating proceedings for judicial review in Superior Court, the plaintiff, or his/her attorney, is required to serve a copy of the summons and complaint upon the Boston office of the attorney General of the Commonwealth, with a copy to the Civil Service Commission, in the time and in the manner prescribed by Mass. R. Civ. P. 4(d).

Notice to:

LaShawnya Thomas (Appellant)

Jennifer S. Doig, Esq. (for Respondent)