



B-32

STATE OF NEW JERSEY

In the Matter of Jennifer Rotside,
Department of Law and Public Safety

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-719

Request for Administrative Relief

ISSUED: ~~OCT~~ 08 2015 (CSM)

The Department of Law and Public Safety requests that the provisions of *N.J.A.C.* 4A:4-1.1(c) be relaxed in order to allow Jennifer Rotsides to be provisionally appointed, pending promotional examination procedures, to the competitive title of Principal Clerk Typist.

By way of background, Ms. Rotsides is currently permanent in the non-competitive title of Data Entry Operator 1. As a result of a classification review of her position, the Division of Agency Services determined that the duties and responsibilities of Ms. Rotsides' position would be appropriately classified by the competitive title of Principal Clerk Typist effective July 13, 2013. However, since her permanent title of Data Entry Operator 1 is in the non-competitive division, an appointment to Principal Clerk Typist would have to be recorded as provisional, pending open competitive examination procedures. Additionally, the movement would constitute a promotion from the non-competitive division to an above entry level title in the competitive division.

In support of its instant request, the appointing authority presents that, given the findings of the classification study, a rule relaxation would permit the provisional appointment of Ms. Rotsides to a title which properly classifies her responsibilities.

It is noted that there are no special reemployment or regular reemployment lists in Ms. Rotsides' unit scope for Principal Clerk Typist. However, the promotional list for her unit scope, Principal Clerk Typist (PS6046P) is now

incomplete, containing the names of 2 eligibles, and expires on October 29, 2017. The open competitive list for Principal Clerk Typist (S0088R) contains the names of 80 eligibles and expires December 25, 2016. Finally, there are 18 employees in the subject unit scope who could compete in a promotional examination for Principal Clerk Typist.

N.J.A.C. 4A:4-1.1(c) provides that a promotion may be authorized through promotional examination procedures from the non-competitive division of permanent employees who meet the open competitive requirements to: 1) a related entry level title in the competitive division; or 2) in appropriate situations, to a related above-entry level title in the competitive division.

Finally, *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

CONCLUSION

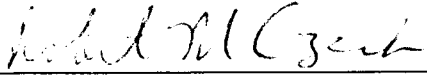
In the present matter, it is appropriate to relax the provisions of *N.J.A.C.* 4A:4-1.1(c) in order to allow Ms. Rotsides to be provisionally appointed, pending promotional examination procedures, to the competitive title of Principal Clerk Typist, with an effective date of July 13, 2013. As a result of such an appointment, it is also appropriate to relax the provisions of *N.J.A.C.* 4A:4-2.5(d) to announce the promotional examination to incumbents serving in the non-competitive title of Data Entry Operator 1 who demonstrate that they meet the complete open competitive requirements. It is also ordered that the promotional announcement issued for Principal Clerk Typist in Ms. Rotsides' unit scope be announced open to competitive division employees who meet the complete open competitive requirements and any title scope deemed appropriate by Agency Services.

ORDER

Therefore, it is ordered that this request be granted.

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 7TH DAY OF OCTOBER, 2015



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