



B-13

STATE OF NEW JERSEY

In the Matter of Abigal Agosto,
Supervisor Fiscal Accounts, Office of the
Public Defender.

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-2510

Administrative Appeal

ISSUED: ~~NOV~~ 19 2015 (BS)

The Office of the Public Defender requests that Abigal Agosto's out-of-title work experience be accepted as qualifying experience for the title Supervisor Fiscal Accounts, Office of the Public Defender.

By way of background, Supervisor Fiscal Accounts requires three years of supervisory experience in the operation and maintenance of a complex system of accounts, including one year of responsibility for maintaining fiscal controls. The Division of Agency Services reviewed the qualifications of Ms. Agosto and concluded that although she possessed 16 years and nine months of supervisory experience in the operation and maintenance of a complex system of accounts, including one year of responsibility for maintaining fiscal controls, such responsibilities while serving in the titles Senior Technician, Management Information Systems and Head Clerk would constitute out-of-title work responsibilities which generally cannot be accepted as qualifying experience in promotional situations. *See N.J.A.C. 4A:4-2.6(c).*

The appointing authority requests that the Civil Service Commission accept Ms. Agosto's 16 years and nine months of out-of-title experience while serving in the titles Senior Technician, Management Information Systems and Head Clerk as qualifying experience for the Supervisor Fiscal Accounts title. The appointing authority certifies that Ms. Agosto has been working out-of-title as indicated in the Division of Agency Services' determination due to business necessity. Further, the appointing authority indicated that its Manager of Fiscal Resources supports this request.

CONCLUSION

N.J.A.C. 4A:4-2.6(c) provides that except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

In the present matter, the appointing authority requests that Ms. Agosto's out-of-title work responsibilities as a Senior Technician, Management Information Systems and Head Clerk be accepted as qualifying experience for the title Supervisor Fiscal Accounts. The Commission finds good cause to grant the request based on the Division of Agency Services' findings of out-of-title work in its determination and the endorsement of -Ms. Agosto's out-of-title work by the appointing authority.

ORDER

Therefore, it is ordered that this request be granted and Abigal Agosto's out-of-title work as indicated above be accepted as qualifying experience for the title Supervisor Fiscal Accounts, Office of the Public Defender. Abigal Agosto is to provide a copy of this decision with the promotional application that she submits upon the issue of a promotional examination announcement. In addition, the Division of Agency Services shall also accept applicable and documented out-of-title work experience from other promotional examination applicants.

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 18TH DAY OF NOVEMBER, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory
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Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Abigal Agosto
William Wander
Kelly Glenn



Chris Christie
Governor
Kim Guadagno
Lt. Governor

STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
DIVISION OF SELECTION SERVICES
P.O. Box 310
Trenton, New Jersey 08625-0310

Robert M. Czech
Chair/Chief Executive Officer

TO: Mr. Jerry Tempesta
Office of Public Defender
Human Resources
Trenton, NJ 08625

DATE: 8/19/2014

FROM: Roxie A. Wesson *RAW*
Human Resource Consultant

SUBJECT: Request for Evaluation

You have requested that a review of credentials be performed in order to determine if Abigail Agosto meets the requirements for the position **Supervisor, Fiscal Accounts**.

The requirements for this position include:

EXPERIENCE: Three (3) years of supervisory experience in the operation and maintenance of a complex system of accounts, including one (1) year of responsibility for maintaining fiscal controls.

In response, please be advised that the Division of Selection Services' staff have determined that the above-mentioned individual:

[X] Does not meet the requirements of this position for the reasons listed below:

Ms. Agosto lacks Three (3) years of supervisory experience in the maintenance of a complex system of controls, including one (1) year of responsibility for maintaining fiscal controls.

Out-of-title work experience:

Ms. Agosto possesses sixteen years, nine (9) months supervisory out-of-title-work-experience; however, out-of-title experience cannot be accepted without Civil Service Commission Board approval.

*Please note: if her out-of-title experience were accepted, she would meet the requirements for this position.

c. HRM Team Leader: Joe Ridolfi

