



B-16

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Carol Raines,
Technical Assistant 3, Department of
the Treasury

CSC DKT. NO. 2016-1422

ISSUED: **NOV 09 2015** BS

The Civil Service Commission accepts and grants the attached request to accept out-of-title work, as described, in the above matter.

Carol Raines is to provide a copy of this decision with the promotional application that she submits upon 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 5TH DAY OF NOVEMBER, 2015

Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
P. O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Carol Raines
Douglas J. Ianni
Kelly Glenn

TO: Henry Maurer, Director
Division of Appeals and Regulatory Affairs

FROM: Kenneth Connolly, Director *Kenneth Connolly*
Division of Agency Services

DATE: October 7, 2015

SUBJECT: Rule Relaxation Request – Carol Raines
Department of the Treasury

The Department of the Treasury requests acceptance of out-of-title work in accordance with N.J.A.C. 4A:4-2.6(c) which states: *“Except when permitted by the Civil Service Commission for good cause, such as a documented affirmative action basis, applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process. Civil Service Commission staff may recommend to the Commission good cause situations where out-of-title work should be accepted.”* The Department of the Treasury also requests a one-time rule relaxation of N.J.A.C. 4A:4-1.1 (c), which states: *“The Commissioner may authorize the promotion, through promotional exam procedures, from the noncompetitive 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.”*

Ms. Raines is currently serving permanently (RAN) in the title, Clerk (05, A04, 20042). Ms. Raines' proposed position (51329) is located in the Data and Conversion Control Unit, Office of Enterprise Revenue-Processing Services, Division of Revenue and Enterprise Services, Department of the Treasury. A classification appeal determination letter was issued on July 21, 2015. It was determined that the appropriate classification of Ms. Raines' position is Technical Assistant 3 (13, A12, 51329).

This request is submitted to allow for the promotion of Ms. Raines from her current, non-competitive title, to the title, Technical Assistant 3 (13, A12, 51329), an unrelated above entry-level title and to accept out-of-title work.

As the result of a request for a pre-appointment evaluation for the title, Technical Assistant 3, it was determined that Ms. Raines possesses three (3) years and (10) months of out-of-title work experience which, if accepted, would allow her to meet the requirements for the title. The Appointing Authority asserts that due to budget constraints, staff shortages and business necessity, Ms. Raines was assigned the technical duties of providing information and assistance in reviewing and verifying data.

It is noted that there are no existing promotional, regular reemployment, or special reemployment lists for Mercer County. There is one open competitive list (S0114R) which

Henry Mauer
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expires on 12/25/16; this list initially generated as a result of a provisional appointment in the Department of Higher Education and has been certified twelve times by various departments. Twenty-eight eligibles currently remain on the open competitive list for Mercer County.

Based on this information, we recommend approval of a one-time rule relaxation to allow Ms. Raines to undergo promotional procedures in order to advance from the non-competitive title, Clerk, to the unrelated, above-entry level title, Technical Assistant 3. Additionally, based on a review of Ms. Raines' submissions and the Appointing Authority's supporting statements, good cause has been established to accept Ms. Raines' applicable out-of-title work experience. As such, we recommend approval of Ms. Raines' out-of-title work experience to satisfy the experience requirements for the title, Technical Assistant 3.

Please contact my office should you have any questions regarding this request.

SF/db

ATTACHMENTS

C: Kelly Glenn
Joe Ridolfi



DEPARTMENT OF THE TREASURY
 DIVISION OF ADMINISTRATION
 HUMAN RESOURCES
 PO Box 210
 TRENTON NJ 08625-0210

CHRIS CHRISTIE
 Governor

KIM GUADAGNO
 Lt. Governor

ROBERT A. ROMANO
 Acting State Treasurer

MEMORANDUM

September 17, 2015

SEP 21 2015

To: Ken Connolly
 Director, Division of Agency Services
 Civil Service Commission

From: Douglas J. Ianni *DJI*
 Human Resources Officer

Subject: Rule Relaxation of Non-Competitive to Competitive Movement
Carol Raines – Technical Assistant 3

This is to request relaxation of N.J.A.C. 4A:4-1.1(c)1 to permit the movement from the non-competitive title Clerk to Technical Assistant 3 for Ms. Raines. Currently, the movement from this non-competitive title is permitted to various competitive titles but does not include Technical Assistant 3.

As a result of Ms. Raines submitting a Classification Appeal, a thorough review and analysis of all information and documentation submitted was conducted by the Civil Service Commission (copy attached) which determined that her position would be properly classified as a Technical Assistant 3. We are in agreement with this determination, therefore this rule relaxation would permit the provisional appointment of Ms. Raines to the title which properly classifies her responsibilities. A request for a pre-determination was submitted to the Division of Agency Services (copy attached) which has determined that Ms. Raines does not meet the full open competitive requirements for this title, but she does possess related out-of-title work experience. A formal out-of-title waiver request (copy attached) is being submitted to the Civil Service Commission for consideration.

A review of unit scope U835– Revenue and Enterprise Services/Front End Processing reveals there is no promotional list or pending announcement within this unit scope. We currently have six employees who are serving provisionally as a result of a Classification Appeals, therefore we will not submit a proposed promotional announcement request until a decision is rendered by CSC regarding this rule relaxation request. Please refer to the attached list of current full-time employees that might be eligible to file for a promotional announcement.

It is our position that good cause exists to approve this movement and is in the best interest of the employee. Your prompt attention to this request is appreciated. If you have any questions, please do not hesitate to contact Wendy Banka of my staff at (609) 984-7523.

DJI:wlb
 Enclosures
 c: J. Hill
 L. Budzinski

