



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Christopher
Connelly and James Crackovich,
Assistant Supervisor, Regional Food
Service Operation (PS0470I),
Department of Corrections

Examination Appeal

CSC Docket Nos. 2016-1249 and
2016-1250

ISSUED: **DEC 17 2015** (SLK)

Christopher Connelly and James Crackovich appeal the determinations of the Division of Agency Services (Agency Services) that they were below the minimum requirements in experience for the promotional examination for Assistant Supervisor, Regional Food Service Operation (PS0470I), Department of Corrections, South Woods State Prison.

The examination at issue was announced with specific requirements that had to be met as of the April 21, 2015 closing date (see attached). A total of four employees applied for the examination and none were determined eligible. Therefore, the examination was cancelled due to a lack of qualified applicants.

On his application, Mr. Connelly indicated that he was an Institutional Trade Instructor 2, Food Processing from September 2006 to the April 21, 2015 closing date, an Institutional Trade Instructor 1, Food Processing from February 1998 to September 2006, a Supervisor Food Service Area Operations from May 1997 to February 1998, a Machine Operator for Cumberland Dairy, Inc. from September 1996 to May 1997, a Short Order Cook for Country Rose Café from May 1994 to September 1996, and a Manager/Short Order Cook for Richman's Restaurant from May 1990 to February 1994. He also indicated that he possesses 72 college credits. Personnel records indicate that Mr. Connelly was an Institutional Trade Instructor 2, Food Processing from August 2006 to the April 21, 2015 closing date, an Institutional Trade Instructor 1, Food Processing from July 1999 to August 2006, an Institutional Trade Instructor 1, Cooking from February 1998 to July 1999, and a Supervisor Food Service Area Operations from May 1997 to February 1998. Agency

Services credited him with two years and four months of experience based on his college credits, but determined that he lacked four years and eight months of experience.

On Mr. Crackovich's application, he indicated that he was provisionally serving in the subject title from January 2015 to the April 21, 2015 closing date, an Institutional Trade Instructor 2, Food Processing from October 2000 to January 2015, an Institutional Trade Instructor 1, Food Processing from July 1999 to October 2000, an Institutional Trade Instructor 1, Cooking from January 1998 to July 1999, a Supervisor Food Service Area Operations from May 1997 to January 1998, a Cook for The Ramada Inn from November 1995 to May 1997, a Cook for the Coach Room from April 1995 to November 1995, a Cook for Bait Box Restaurant from May 1994 to May 1994, a Cook for Bridgewater Pub from May 1993 to July 1993, a Cook for Jersey Cow Café from May 1993 to May 1993, and a Banquet Cook for Great Bay Country Club from October 1992 to October 1992. He also indicated that he possesses 58 college credits. Agency Services credited him with one year and eleven months of experience based on his education, but determined that he lacked five years and one month of experience.

On appeal, Mr. Connelly presents that as a Manager for Richman's Restaurant for almost four years, he was responsible for overseeing the wait and kitchen staff which included the ability to make hiring and firing decisions and the responsibility to train and schedule staff. As an Institutional Trade Instructor 2, Food Processing, he states that he was the manager/supervisor of his shift and his responsibilities included the daily production schedule for Institutional Trade Instructor 1s and inmates, authorizing inmate time sheets and overtime sheets for staff, ensuring that all food produced on his shift was in compliance with safety regulations, creating kitchen policies regarding the menu, staff, and equipment, answering to the Administration concerning any issues during his shift, investigating staff and inmates issues and making disciplinary recommendations, counseling staff on performance, and having the overall responsibility for the staff and inmate during his shift. He also submits a letter from Richard McCauley, Supervisor, Regional Food Service Operations, who confirms Mr. Connelly's statement of duties and supports his appeal.

Mr. Crackovich presents that as an Institutional Trade Instructor 2, Food Processing, he was the on-site manager for his shift which included the responsibility of scheduling the daily work schedules for the Institutional Trade Instructor 1s and inmates, ensuring that food was prepared in accordance with health regulations, creating the kitchen policies concerning the menu, staff, and equipment, investigating staff and inmate issues and recommending disciplinary actions as needed, counseling staff on performance, and authorizing overtime and inmate wages. Additionally, he submits a statement from Mr. McCauley confirming

that Mr. Crackovich performed the duties as he represents and supporting his appeal.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, 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.

Initially, Agency Services correctly determined that the appellants did not meet the required experience. As of the April 21, 2015 closing date, Mr. Connelly only had two years and four months of applicable experience and Mr. Crackovich only had one year and eleven months of experience as any other applicable supervisor experience they gained as Institutional Trade Instructor 2s, Food Processing would be out-of-title work. However, Mr. McCauley has confirmed that Mr. Connelly performed the required out-of-title duties as an Institutional Trade Instructor 2 for over 8 years from September 2006 to the April 21, 2015 closing date and Mr. Crackovich performed the required out-of-title duties as an Institutional Trade Instructor 2 for over 14 years from October 2000 to January 2015. Further, the record evidences that the eligible list is incomplete as there are no names on the eligible list. Moreover, Mr. Connelly¹ and Mr. Crackovich continue to serve provisionally in the title under test. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and (c) and accept Mr. Connelly's and Mr. Crackovich's out-of-title work and experience after the closing date, for eligibility purposes, and admit them to the subject examination.

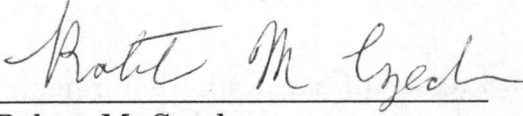
ORDER

Therefore, it is ordered that these appeals be granted, the cancellation of the examination be rescinded and Christopher Connelly's and James Crackovich's applications be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

¹ Mr. Connelly was appointed provisionally to the subject title in October 2015.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 16th DAY OF DECEMBER, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

- c: Christopher Connelly
- James Crackovich
- Jennifer Caignon
- Kelly Glenn
- Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC

SYMBOL: PS04701	WEIGHT CODE: *
TITLE: ASSISTANT SUPERVISOR REGIONAL FOOD SERVICE OPERATION	SALARY: \$59,032.00 - \$83,804.00
ISSUE DATE: April 01, 2015	CLOSING DATE: April 21, 2015
TITLE CODE: 44728/PFRXR2	CLASS CODE: 23
DEPARTMENT: COIE/CORRECTIONS	
UNIT SCOPE: 1380 South Woods State Prison (Bridgeton)	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Education: Graduation from an accredited college with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Experience: Three (3) years of experience in the management of a complex institution or commercial unit, one (1) years of which shall have been in a supervisory capacity.

Note: Applicants who do not possess the required education may substitute additional experience as indicated on a year-for-year basis.

Note: Applicants who do not possess the required experience may substitute a Master's degree in Home Economics, Dietetics, Food Management, or associated field for one (1) year of the nonsupervisory experience required. You must specify the type of degree you have on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

Revised 4/15/15

IMPORTANT INFORMATION

- NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
- YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
- This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
- NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
- In accordance with Public Law 2010 c.26, **Veterans pay a reduced application fee of \$15.00** if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.) or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.**
- SPECIAL NOTE TO ALL APPLICANTS** Please make sure you are assigned to the unit scope indicated above. **If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.**
- If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so **PLEASE FILE EARLY.**

DPF-256A * Revised 03/09

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