



dispute resolution. Subsequently, the appellant filed a classification appeal which resulted in the position being properly classified as Dispute Resolution Specialist 2.

*N.J.A.C.* 4A:4-2.6(c) provides that 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, unless good cause is shown for an exception.

### CONCLUSION

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was properly credited with one year and nine months of experience based on her provisional service in the title under test. Therefore, she would need an additional two years and three months of experience to qualify for the examination. Primarily performing duties consistent with those required to establish eligibility for the title under test would be considered out-of-title work for incumbents in the Supervising Environmental Specialist title. However, the appointing authority has verified that the appellant was reassigned to the Office of Dispute Resolution and performed the required out-of-title duties since December 2010. Additionally, the subject examination was cancelled and the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause exists to accept the appellant's out-of-title work experience and admit her to the subject examination.

### ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant application be processed for prospective employment opportunities only.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.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON THE  
16<sup>TH</sup> DAY OF SEPTEMBER, 2015



Robert M. Czech

Chairperson

Civil Service Commission

Inquiries  
and  
Correspondence

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

Attachment

- c. Linda Taylor  
Deni Gaskill  
Kelly Glenn  
Kenneth Connolly

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE  
**PROMOTIONAL ANNOUNCEMENT**



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

SYMBOL: <b>PS0279G</b>	WEIGHT CODE: *
TITLE: <b>DISPUTE RESOLUTION SPECIALIST 2</b>	SALARY: <b>\$74,252.00 - \$105,891.00</b>
ISSUE DATE: <b>March 01, 2015</b>	CLOSING DATE: <b>March 21, 2015</b>
TITLE CODE: <b>21815/O8RXR2</b>	CLASS CODE: <b>29</b>
DEPARTMENT: <b>EPA/ENVIRONMENTAL PROTECTION</b>	
UNIT SCOPE: <b>G158 Office of the Commissioner</b>	

Visit [www.state.nj.us/csc](http://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 are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):**

**Dispute Resolution Specialist 1**

**Or 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 or university 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:** Four (4) years of experience in mediating litigation and public disputes and/or facilitating the development of new rules or policies through consensus building.

**Note:** Possession of a Juris Doctor's degree may be substituted for two (2) years of required experience.

**Note:** Possession of a Master's degree in Dispute/Conflict Resolution may be substituted for one (1) year of required experience. You must indicate the details of your Master's and/or Doctorate degree(s) 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.

**IMPORTANT INFORMATION**

1. 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.
2. **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.
3. 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.
4. 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.
5. 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.**
6. **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.**
7. 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](mailto: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