



STATE OF NEW JERSEY

In the Matter of Rosalia Gonzalez,
Personnel Director (PM2670T),
Vineland

FINAL ADMINISTRATIVE
ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-3526

Examination Appeal

ISSUED: OCT 26 2016 (JET)

Rosalia Gonzalez appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirement for the promotional examination for Personnel Director (PM2670T), Vineland.

The promotional examination was announced with specific requirements which had to be satisfied by the December 21, 2015 closing date (see attached). The examination was cancelled on April 16, 2016, since the appellant, the only applicant, was found ineligible for the examination.

On her application, the appellant listed that she possessed a Bachelor's degree. Agency Services credited the appellant for her education. The appellant also listed that she served as a provisional Personnel Director from September 2015 to the December 21, 2015 closing date, and as a Personnel Technician from September 2014 to September 2015. She also listed that she served as an Assistant Personnel Technician from July 2004 to September 2014, as a Personnel Aide from June 2000 to June 2004, and as a Senior Personnel Clerk from January 1990 to June 2000. Agency Services credited the appellant with four months of experience for her work as a provisional Personnel Director, but it could not credit her with any other applicable experience. Accordingly, Agency Services determined that the appellant lacked four years and eight months of applicable experience.

On appeal, the appellant maintains that she meets the experience requirement for the subject examination. The appellant asserts, among other

things, that she was assigned to perform the duties of a Personnel Director while serving as a Personnel Technician and as an Assistant Personnel Technician. She states that she was assigned to perform such work at the time the incumbent serving in the title retired in 2006.

In support, the appellant submits a letter from Ruben Bermudez, Mayor of the City of Vineland, who states that the appellant has been performing the duties of a Personnel Director since December 2006. Specifically, Bermudez confirms that the appellant's duties include, among other things, advising managers about policies and procedures, making difficult staffing decisions, identifying staff vacancies, interviewing applicants, supervising work activities of subordinates, administering compensation and benefits, training employees, processing personnel information, and posting job vacancies.

Official personnel records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 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.

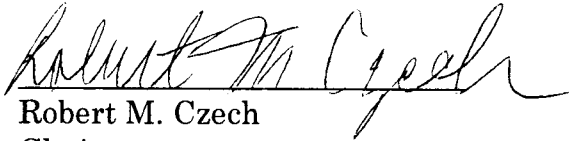
Initially, based on the information listed in her application, Agency Services correctly credited the appellant with four months of applicable experience. On appeal, the appellant argues that, while serving as a Personnel Technician and as an Assistant Personnel Technician, she performed the applicable duties to meet the requirements of the subject examination. Further, the Mayor of the City of Vineland submitted a letter verifying that she performed the applicable duties of the subject title since 2006. Further, the appellant continues to serve as a provisional Personnel Director. Moreover, the examination is not competitive as the appellant is the only applicant. Accordingly, good cause exists to accept the appellant's out-of-title work experience for eligibility purposes only, and admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded, and the appellant's 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 19th DAY OF OCTOBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals
& Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
PO Box 312
Trenton, New Jersey 08625-0312

c: Rosalia Gonzalez
Ruben Bermudez
Kelly Glenn
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION
 COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



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

| | |
|--------------------------------------|--|
| SYMBOL: PM2670T | WEIGHT CODE: * |
| TITLE: PERSONNEL DIRECTOR | SALARY: \$53,236.00 - \$71,228.00 |
| ISSUE DATE: December 01, 2015 | CLOSING DATE: December 21, 2015 |
| TITLE CODE: 02650@/XLRFR5 | JURISDICTION CODE: C06140001 |
| JURISDICTION: VINELAND | |
| DEPARTMENT: ADMINISTRATION | |

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 and are currently serving in the following title(s):

Assistant Personnel Director 00641

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.

Applicants who do not possess the required education may substitute, in addition to the required experience indicated below, applicable experience on a year for year basis, with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Five (5) years of supervisory personnel experience, two (2) years of which shall have included responsibility for a major public or private industry personnel program including review of classification problems and wage studies, handling personnel problems, and coordination of the training needs of the jurisdiction.

Note: A Master's degree in Personnel Administration, Applied Psychology, or other related field from an accredited college or university may be substituted for one (1) year of indicated supervisory personnel experience. You must indicate the details of your Master's degree 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 must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
2. **ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. 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-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, 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.** (i.e. Police, Fire, Corrections and Sheriff).
6. **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 of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.**

DPF-256A * Revised 03/09