

B-287



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE  
ACTION OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Kyle Battaglia,  
Administrative Analyst (PM1215U),  
Hamilton Township

CSC Docket No. 2017-1100

Examination Appeal

ISSUED: DEC 23 2016 (RE)

Kyle Battaglia appeals the determination of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Administrative Analyst (PM1215U), Hamilton Township.

The subject examination announcement was issued with a closing date of June 21, 2016, and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Assistant Administrative Analyst OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and one year of experience in analyzing, evaluating, and providing advice to management on such matters as work methods and procedures, communications, budgeting, organizational structure, manpower utilization, distribution of work assignments, delegation of authority, policy development, records management, or similar areas. Applicants who did not meet the education requirement could substitute additional work experience as described on the basis of one year of experience being equal to 30 semester hour credits. A Master's degree in Business Administration, Public Administration, Industrial Management, Industrial Engineering, Industrial Psychology, Political Science, or Government could be substituted for one year of experience. It was found that appellant failed to satisfy the experience requirement. As the appellant was the sole applicant, the examination was cancelled on October 12, 2016.

On his application, Mr. Battaglia indicated that he possessed a Bachelor's degree and he listed six positions on his application and resume: two positions as Administrative Analyst, two positions as Keyboarding Clerk 2, Keyboarding Clerk 1, and Crime Prevention Aide. Official records indicate he was appointed as a provisional Administrative Analyst in February 2016. Since he did not delineate duties for each position separately, his experience was not accepted, and he was found to be lacking one year of applicable experience.

On appeal, the appellant argues that he meets the minimum requirements for the position, and he indicates that he had been provisionally appointed to the subject title in February 2016. He also states that he was working out-of-title as an Administrative Analyst while in the title Keyboarding Clerk 2 from April 20, 2013 forward. He maintains that the duties he provided with his application commenced in April 2013, and he provides some of the duties that he had performed. In addition, the appointing authority indicates that Mr. Battaglia was working out-of-title since 2013. Further, the appointing authority requests that Mr. Battaglia's out-of-title work experience be accepted, and that it would like to appoint him to the subject title.

*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides in pertinent part 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

Initially, the appellant was correctly deemed to be ineligible for the subject examination since he lacked the minimum experience. However, the appointing authority has indicated that Mr. Battaglia performed out-of-title duties for at least a year while in his provisional position and in the title of Keyboarding Clerk 2. With the acceptance of this out-of-title work, Mr. Battaglia possesses the required experience. The examination was not competitive with no admitted candidates, and Mr. Battaglia remains in his provisional position as an Administrative Analyst. Thus, based on the documentation submitted and under these circumstances, good cause exists to accept Mr. Battaglia's out-of-title work experience, for eligibility purposes only, to satisfy the requirements for the subject examination.

## ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

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 21<sup>st</sup> DAY OF DECEMBER, 2016

  
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