



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Rosemarie Millan,
Administrative Analyst 2 (PS4728P),
State Police

Examination Appeal

CSC Docket Nos. 2018-831

ISSUED: NOV 03 2017 (SLK)

Rosemarie Millan appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Administrative Analyst 2 (PS4728P), State Police.

The examination at issue was announced with specific requirements that had to be met as of the April 21, 2017 closing date (see attached). The appellant was the only employee who applied for the subject examination and was deemed ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

Per the substitution clause, Agency Services credited the appellant with two years and six months of experience based on 76 college credits. Agency Services did not credit the appellant for her provisional service from February 2017 to the April 21, 2017 closing date, her Administrative Assistant 3 experience from January 2011 to February 2017, or her various clerical positions from June 2004 to January 2011.¹ Therefore, it determined that she lacked three years and six months of experience. It found that her provisional experience appeared to be a combination of technical contract/grant experience and she was assisting an Administrative Analyst 4, but not recommending, planning or implementing improvement as required to be considered an Administrative Analyst.

¹ Ms. Millan's provisional service is with the State Police. Her prior State service was with the Department of Environmental Protection.

On appeal, Ms. Millan asserts that she performed out-of-title Administrative Analyst work as an Administrative Assistant 3. The appellant submits a letter from Diane Dow, Director, Division of Land Use Regulation, Department of Environmental Protection, who supports her claim that since 2006 she was performing out-of-title Administrative Analyst work in this position. Additionally, the appellant submits a letter from her current supervisor, Kristen Musolf, Administrative Analyst 4, who describes how the appellant is reviewing and analyzing funding resources, grant awards, budgets, contract agreements, and other areas in order to make recommendations to improve the overall operations of the agency.

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. In accordance with *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties performed in a given position that expands or enlarges on information previously submitted is considered clarifying. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant did not meet the requirements as the appellant did not clearly explain that she was performing the required duties while serving provisionally in the subject title. Further, even if she had, she would still lack the required experience as the Commission had already determined in *In the Matter of Rosemarie Millan* (CSC, decided December 16, 2015) and *In the Matter of Rosemarie Millan* (CSC, decided November 18, 2015) that she was not performing Administrative Analyst work as an Administrative Assistant 3. However, on appeal, Ms. Musolf clarifies that the appellant is performing the required duties while provisionally serving in the subject title. Further, Ms. Dow confirms that since 2006 the appellant performed budget analysis for the Division of Land Use and made recommendations for its management to improve its overall operations. Therefore, the Commission is satisfied that the appellant's education and experience warrants her admission to the subject examination. Additionally, the examination was cancelled due to a lack of qualified candidates and she continues to serve provisionally in the subject title. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and admit her to the subject examination.

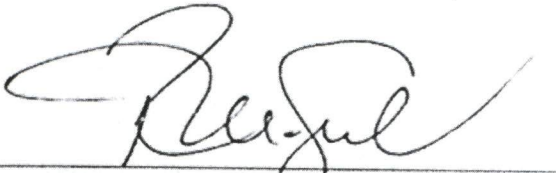
This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded and Rosemarie Millan'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 1st DAY OF NOVEMBER, 2017



Robert M. Czede, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
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: Rosemarie Millan
Jessica Chianese
Kelly Glenn
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE

PROMOTIONAL ANNOUNCEMENT

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

SYMBOL: **PS4728P**

WEIGHT CODE: *

TITLE: **ADMINISTRATIVE ANALYST 2**SALARY: **\$51,530.00 - \$72,953.00**ISSUE DATE: **April 01, 2017**CLOSING DATE: **April 21, 2017**TITLE CODE: **50073/PPRXR7**CLASS CODE: **21**DEPARTMENT: **LPP/LAW & PUBLIC SAFETY**UNIT SCOPE: **P605 State Police/Administration**

APPLICATIONS MAY BE OBTAINED
 FROM AND MUST BE RETURNED TO:

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 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):

Administrative Analyst 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.

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

Experience: Two (2) years of experience involving the review, analysis, and evaluation of budget, organization, administrative practices, operational methods, management operations, or data processing applications, or any combination thereof, which shall have included responsibility for recommendation, planning, and/or implementation of improvements in a business or government agency.

Note: A Master's degree in Public Administration, Business Administration, Economics, Finance, or Accounting may be substituted for one (1) year of indicated 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 the department and unit scope, 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- 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 Department of Military and Veterans Affairs (DMAVA) (as defined by N.J.S.A. 17A:5-1 et seq.). Those claiming Veterans Preference but have not yet received approval from DMAVA must pay the full application fee and may request a refund if the claim is approved 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 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.

8. Application fees submitted via personal check or money order must be postmarked within **five (5) business days** of submitting your application. If your fee is postmarked after five (5) business days, or is returned as invalid, you will be declared ineligible and denied admittance to the examination process.

DPF-256A * Revised 07/06

