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STATE OF NEW JERSEY

In the Matter of Christopher Romano, Assistant Zoning Officer, Brick Township

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

CSC Docket No. 2017-2666

Administrative Appeal

ISSUED: MAY 19 2017 (JET)

The Division of Agency Services (Agency Services), on behalf of Brick Township, requests that Christopher Romano's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Assistant Zoning Officer, Brick Township.

By way of background, Romano is currently serving as a Clerk 2, and his experience was reviewed by the Agency Services as part of a pre-appointment evaluation to determine if he possessed the necessary qualifications for the subject title. It is noted that the requirements for Assistant Zoning Officer are two years of experience in the preparation and revision of building construction plans and specifications or in the full-time inspection and enforcement of zoning and/or building construction laws and regulations.

In response to the pre-employment evaluation, Agency Services determined that Romano possessed two years of out-of-title work experience in the subject title as a Clerk 2. However, this experience could not be credited for eligibility purposes for Assistant Zoning Officer since it constituted out-of-title work.

In the instant matter, Joanne Bergin, Business Administrator, Brick Township and Agency Services confirm that, since 2014 as a result of the operational needs of the appointing authority, Romano has been performing applicable duties of an Assistant Zoning Officer on an out-of-title basis, including responsibility for various inspection and building code related duties. Moreover, Agency Services indicates that Brick Township has no existing open-competitive,

promotional or special re-employment lists available for the Assistant Zoning Officer title.

CONCLUSION

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.

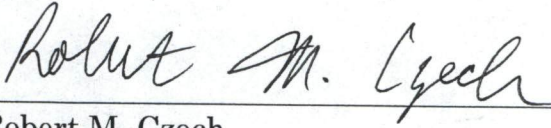
In the present matter, Brick Township and Agency Services verify that Romano has been performing relevant duties of the subject title for more than two years. The appointing authority's Business Administrator verifies that Romano performed the out-of-title work as an Assistant Zoning Officer due to the operational needs of the appointing authority. As such, the appointing authority requests approval of this request. Therefore, in order to properly classify the position, good cause exists to accept Romano's out-of-title work experience in order to qualify him for prospective promotional examinations for Assistant Zoning Officer, Brick Township.

ORDER

Therefore, it is ordered that this request be granted and Christopher Romano's applicable out-of-title experience be accepted for a prospective promotional examination for Assistant Zoning Officer, Brick Township. Additionally, it is ordered that the promotional examination be announced in the appropriate unit scope in accordance with this decision. Christopher Romano is to provide a copy of this decision with his promotional application upon announcement of the examination. Finally, Agency Services should accept all documented and verified out-of-title work from other applicants who may apply to this specific prospective promotional examination 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 17th DAY OF MAY , 2017



Robert M. Czech
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