



STATE OF NEW JERSEY

In the Matter of Richard DiStefano,
Building Management Service
Specialist 3, Department of the
Treasury

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-2199

Administrative Appeal

ISSUED: **MAY 23 2017** (CSM)

The Division of Agency Services (Agency Services), on behalf of the Department of the Treasury, requests that Richard DiStefano's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Building Management Service Specialist 3.

By way of background, Romano is currently serving as a Technical Assistant, Personnel, 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 Building Management Service Specialist 3 are a Bachelor's degree and two years of experience in the coordination and/or implementation of building management programs including building/property operations analysis, program development, organizational and/or fiscal planning, and/or cost efficiency programs and/or special building service programs, security, or a related field. Applicants who do not possess the required education may substitute experience as indicated on a year-for-year basis and a Master's degree in Business Administration, Public Administration, or closely related area may be substituted for one year of experience.

In response to the pre-employment evaluation, Agency Services determined that DiStefano possessed eight years and seven months of out-of-title work experience in the subject title as a Technical Assistant, Personnel. However, this experience could not be credited for eligibility purposes for the subject title since it constituted out-of-title work.

In the instant matter, the appointing authority and Agency Services confirm that, since 2006 as a result of the operational needs of the appointing authority, DiStefano has been performing applicable duties of the subject title on an out-of-title basis. In support, it provides copies of his PAR agreements that further document performance of this out-of-title work.

It is noted that DiStefano has applied for the promotional examination for Building Management Service Specialist 3 (PS2544U), Treasury, which closed on April 21, 2016. A total of two employees applied for that examination which is currently pending with Agency Services.

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.

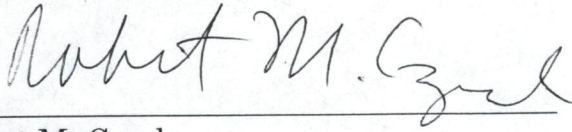
In the present matter, the appointing authority and Agency Services verify that DiStefano has been performing relevant duties of the subject title for more than eight years. The appointing authority verifies that DiStefano performed the out-of-title work due to the operational needs of the appointing authority. As such, the appointing authority requests approval of this request. Therefore, in order to properly classify his position and because the examination situation is not competitive, good cause exists to accept DiStefano's out-of-title work experience in order to qualify him for the Building Management Service Specialist 3 (PS2544U), Treasury promotional examination.

ORDER

Therefore, it is ordered that this request be granted and Richard DiStefano's applicable out-of-title experience be accepted for the Building Management Service Specialist 3 (PS2544U), Treasury promotional examination. Additionally, Agency Services should accept all documented and verified out-of-title work from other applicants who may apply to this specific 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



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