



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Jeanne Baumann,
Software Development Specialist 2
(PS5384N), Department of Labor and
Workforce Development

Examination Appeal

CSC Docket No. 2018-1286

ISSUED: APRIL 2, 2018 (SLK)

Jeanne Baumann appeals the determination of the Division of Agency Services (Agency Services) that she was below the minimum requirements in experience for the promotional examination for Software Development Specialist 2 (PS5384N), Department of Labor and Workforce Development.

The examination at issue was announced with specific requirements that had to be met as of the July 21, 2017 closing date. The education requirement was a Bachelor's degree. The experience requirements were two years of programming, system analysis, or computer analysis experience. Applicants who did not possess the required education could substitute additional experience as indicated above on a year-for-year basis with 30 semester hour credits being equal to one year of experience. A total of four employees applied for the subject examination which resulted in a list of three eligibles with an expiration date of October 25, 2020. Certification PS171742 was issued containing the names of the three eligibles and each eligible was appointed.

Personnel records indicate that the appellant was provisionally serving in the subject title from August 2016 to the July 21, 2017 closing date, a Software Development Specialist 1 from December 2015 to August 2016, in various Claims Examiner positions from February 2009 to December 2015, a Senior Unemployment Clerk from November 2008 to February 2009, an Administrative Analyst 4 from May 2008 to November 2008, and in various clerical titles from November 2000 to May 2008. Additionally, the appellant indicated that she possessed 72 college

credits. Agency Services credited the appellant with four years and eight months of experience based on two years and five months for her college credits, one year and eight months for her Software Development 1 and 2 service, and seven months for her Administrative Analyst 4 service. Therefore, it determined that she lacked one year and four months of experience.

On appeal, the appellant indicates that at various times throughout her employment she was assigned to projects where she performed system analysis work. The appellant represents that she has more than seven years of cumulative experience performing the required duties. Additionally, the appointing authority confirms that throughout her employment as a Senior Claims Examiner and Claims Examiner, and while serving in other titles, the appellant worked on projects where she performed the required duties.

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. *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, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant had four years and eight months of applicable experience based on her college credits and her service as a Software Development Specialist 1 and 2 and an Administrative Analyst 4. However, it determined that she lacked one year and four months of the required experience needed to establish eligibility. Any relevant experience the appellant gained as a Senior Claims Examiner, a Claims Examiner, or in other titles would be out-of-title-work. However, the appointing authority confirms that the appellant performed the required duties while working on various projects throughout her employment due to business necessity. Additionally, there are currently no names on the eligible list and the appellant continues to serve provisionally in the title under test. 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 the appeal be granted, 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 27th DAY OF MARCH, 2018



Deirdre L. Webster Cobb
Acting 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

c: Jeanne Baumann
Mary Fitzgerald
Kelly Glenn
Records Center