



**STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION**

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

In the Matter of Stephen Bittner and
Adria Wentzel, Administrative Analyst
3 (PS3792G), Department of
Environmental Protection

CSC Docket Nos. 2017-3233 and 2017-
3183

Examination Appeals

ISSUED: March 28, 2018 (AMR)

Stephen Bittner and Adria Wentzel appeal the determination of the Division of Agency Services that they did not meet the experience requirement for the promotional examination for Administrative Analyst 3 (PS3792G), Department of Environmental Protection.

The subject examination was announced with a closing date of November 21, 2016 and was open, in part, to applicants who possessed a Bachelor's degree and possessed three 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 the recommendation, planning and/or implementation of improvements in a business or government agency. A total of three applicants applied for the subject examination that was cancelled on April 16, 2017 due to a lack of qualified applicants. There are currently three provisionals serving in the subject title.

Bittner indicated on his application that he has been serving provisionally as an Administrative Analyst 3 from July 2016 to the closing date, November 2016. He held his previous permanent title, Auditor 3, from June 2014 to June 2016. Additionally he held various auditor/accounting titles in the private sector. Bittner indicated that he possessed a Bachelor's degree. A review of Bittner's personnel record indicates that he was an Auditor 1 from May 2014 until June 2016. It is noted that Bittner was provisionally appointed to the subject title in June 2016.

Agency Services credited Bittner with two years and six months of experience, but determined that the remainder of his experience was not applicable.

Wentzel indicated on her application that she has been serving provisionally as an Administrative Analyst 3 from June 2014 to the closing date, November 2016. She served as Director-at-Large/Media Coordinator for USTA New Jersey District from January 2012 (part-time at five hours per week) to December 2015. She held her previous permanent title, Environmental Specialist 3, from May 2014 to June 2015. Additionally, she held other titles in the Environmental Specialist series from February 2007 to May 2014. Wentzel possesses a Bachelor's degree. A review of Wentzel's personnel record indicates that she was an Environmental Specialist 2 from October 2011 to May 2014. It is noted that the appellant was provisionally appointed to the subject title in May 2014. Agency Services credited Wentzel with one year and six months of provisional experience in the subject title under test. She was also credited with seven months of prorated experience based on her service as Director-at-Large with USTA, New Jersey District. Thus, as of the closing date, she will need 11 months of applicable experience to qualify for the exam.

On appeal to the Civil Service Commission (Commission), Bittner outlines the duties he performs in his provisional title as well as the duties he performed as an Auditor 1. The appellant also submits a letter of support from his supervisor. Wentzel outlines the duties she performs in her provisional title as well as the duties she performed as an Environmental Specialist 3.

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: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, it is noted Agency Services correctly determined that the appellants were not eligible for the subject examination, as they did not meet the experience requirements by the November 21, 2016 closing date. Specifically, Agency Services credited Bittner with two years and six months of experience based on his Auditor 1 experience and provisional service in the subject title from June 2016 to September 2016 but determined that he lacked six months of experience. Similarly, Agency Services credited Wentzel with one year and six months of provisional experience in the subject title and with seven months of prorated experience in the title of Director-at-Large, causing her to lack 11 months of experience. However, the appellants clarify their experience on appeal, examination was cancelled and the appellants continue to serve provisionally in the title under test. Accordingly, good cause exists to accept the appellants' clarification of their experience and their

experience after the closing date, for eligibility purposes only, and to admit them to the examination.

ORDER

Therefore, it is ordered that these appeals be granted, the examination cancellation be rescinded, and Stephen Bittner's and Adria Wentzel's applications be processed, for prospective employment opportunities only.

This is the final administrative determination in these matters. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 27th DAY OF MARCH , 2018



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