

## STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Eric Laufenberg, Office Supervisor (PS3700K), Department of Human Services

CSC Docket Nos. 2018-2148

**Examination Appeal** 

**ISSUED: APRIL 2, 2108** (SLK)

Eric Laufenberg appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Office Supervisor (PS3700K), Department of Human Services.

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The examination at issue was announced with specific requirements that had to be met as of the October 23, 2017 closing date. The requirements were five years of experience in clerical work, three years of which shall have been in a supervisory capacity. A total of three employees applied for the subject examination which resulted in a list of two eligibles with an expiration date of February 14, 2021. It is noted that the subject list has not yet been certified.

Personnel records indicate that the appellant was provisionally serving in the subject title from November 2016 to the October 23, 2017 closing date, a Customer Service Information Specialist 1 from December 2012 to November 2016, a Customer Service Information Specialist 2 from June 2005 to December 2012, and a Customer Service Information Specialist 3 from February 2005 to June 2005. Agency Services credited him with having met the general experience requirement and having one year of supervisory experience based on his provisional service in the subject title. However, it determined that he lacked two years of supervisory experience.

On appeal, the appellant presents that since September 2013, he has been performing supervisory duties such as training staff, ensuring that lower level staff

perform their jobs effectively, answering questions from lower level staff, resolving escalated caller inquiries, scheduling staff, and addressing facility and office needs. Additionally, Michelle Pawelczak, Director, Customer Services, states that the appellant has been performing the duties of a supervisor since September 2013 due to business necessary. She asserts that it would be hardship for the operation of the main call center if the appellant is unable to continue serving in the subject title.

## 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 met the general experience requirements and had one year of applicable supervisory experience based on his provisional service in the subject title. However, it determined that he lacked two years of the required supervisory experience needed to establish eligibility. Any relevant supervisory experience the appellant gained as a Customer Service Information Specialist 1 would be out-of-title-work. However, Ms. Pawelczak confirmed that the appellant performed the required supervisory duties since September 2013 due to business necessity. Additionally, the list is incomplete as there is only one name 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 supervisory work experience, for eligibility purposes only, and admit him 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

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