B-126



**STATE OF NEW JERSEY** 

## FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Request for Interim Noncompetitive Appointments

**ISSUED: APRIL 10, 2018** (EG)

The Division of Agency Services (Agency Services) requests the reallocation of the titles Network Administrator 1 and Network Administrator 2 to the noncompetitive division of the career service from March 31, 2018 to April 14, 2018.

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In the Matter of Reallocation of Titles

CSC Docket Nos. 2018-1390, et al.

in the Office of Information Technology

Agency Services requests that the subject titles be designated as noncompetitive on an interim basis, for one pay period, to allow Donald Bara, Alvin Ingram and Ryan Palencik to be properly assigned to the career service. This request is in response to Executive Order 225, which directed, inter alia, the Office of Information Technology (OIT) to transfer the IT Infrastructure Assets, along with those employees who support infrastructure across the Executive Branch, to OIT. In order to comply with the Executive Order, OIT requests certain actions in order to effect the transfer of the subject employees. Specifically, it requests that Palencik, who is currently serving in the title Principal Staff Officer, an agency specific unclassified title in the Department of Military and Veterans' Affairs, be reclassified as a Network Administrator 1 upon his transfer to OIT. Additionally, OIT indicates that Bara and Ingram are serving as unclassified Network Administrator 2 and Network Administrator 1 respectively, with the Department of Law and Public Safety, Division of Gaming Enforcement, pursuant to N.J.S.A. 5:12-Thus, it request the subject titles be designated as noncompetitive on an 56.interim basis to permit Bara, Ingram and Palencik to be transferred into the career service.

Agency Services recommends that Bara, Ingram and Palencik receive appointments to the appropriate career service title of Network Administrator 1 or Network Administrator 2 as indicated above. Further, Agency Services indicates that there are currently no active special reemployment, regular reemployment or promotional lists for the requested titles. Therefore, Agency Services requests the relaxation of the criteria outlined in N.J.A.C. 4A:3-1.2(c) in order to allocate the Network Administrator 1 and Network Administrator 2 titles to the noncompetitive division on an interim basis, for one pay period, to effectuate the appointments of Bara, Ingram and Palencik into the appropriate career service titles as listed above.

It is noted that pursuant to N.J.A.C. 4A:3-3.3(f), the affected negotiations representatives were notified of the request to reallocate the subject titles to the noncompetitive division, on an interim basis.

## CONCLUSION

*N.J.A.C.* 4A:3-1.2(c) provides that a job title may be placed in the noncompetitive division on an ongoing or interim basis when it is determined that it is appropriate to make permanent appointments to the title, and that one or more of the following criteria are met:

- 1. Competitive testing is not practicable due to the nature of the knowledge, skills and abilities associated with the job;
- 2. Certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions; or
- 3. There is a need for immediate appointments arising from a new legislative program or major agency reorganization.

Based on the Executive Order described above, interim noncompetitive status for the subject titles is appropriate in this matter. Additionally, *N.J.A.C.* 4A:3-1.2(g) provides that, if a title is designated noncompetitive on an interim basis, at the end of the interim noncompetitive period, which shall be no greater than one year, the job title shall be redesignated as competitive. Individuals appointed during the interim noncompetitive period shall, upon successful completion of their working test periods, attain permanent status in the competitive division.

## ORDER

Therefore, it is ordered that this request be granted, and interim noncompetitive designations for the subject titles be effected. This designation will be effective from March 31, 2018 to April 14, 2018. At the end of this period, the subject titles will be returned to the competitive division of the career service. 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 4TH DAY OF APRIL, 2018

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Deirdrè L. Webster Cobb 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: Kelly Glenn Donald Bara (CSC Docket No. 2018-1390) Alvin Ingram (CSC Docket No. 2018-1391) Ryan Palencik (CSC Docket No. 2018-1392) Dave Weinstein Records Center