

B-21



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Reallocation of
Building Inspector Apprentice from
the Competitive to the Non-
Competitive Division of the Career
Service

Request for Title Reallocation

CSC Docket No. 2016-1306

ISSUED: OCT 22 2015 (SLK)

The Division of Agency Services (Agency Services) recommends the reallocation of the Building Inspector Apprentice title to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*.

The rationale for reallocating this title is to provide local appointing authorities with the flexibility needed to more efficiently and quickly meet their hiring responsibilities. Agency Services explains that competitive testing is not practicable due to the registration required for this position. In this regard, candidates must possess specific knowledge and skills and meet minimum Sub-code related job experience standards to obtain the necessary registration. Therefore, the examination process is redundant as possession of, or eligibility for, registration as Building Inspector Trainee issued by the New Jersey Department of Community Affairs, establishes that the candidate has already met the requirements necessary to qualify for this title. As such, Agency Services recommends that this title be reallocated to the non-competitive division.

Any existing eligibility lists for this title and any current announcements for which examinations have not been administered will be cancelled upon completion of the reallocation process. Nevertheless, local agencies wishing to do so may recruit and appoint from the cancelled lists. However, resulting appointments will be recorded as regular appointments in the non-competitive division (RAN). Appointment types for existing employees in these title as of the effective date will be handled in accordance with *N.J.A.C. 4A:3-1.2(f)*:

1. Permanent employees in that title as of the effective date shall have their appointment types changed to RAN, and shall retain their permanent status in the non-competitive division.
2. Probationary employees in that title as of the effective date shall continue serving their working test periods and, upon successful completion, attain permanent status in the non-competitive division.
3. Provisional employees who remain in that title as of the effective date shall receive regular appointments (RAN) and begin serving their working test period on the effective date.

Agency Services advises that the title is currently unencumbered and therefore local appointing authority notification is not required. Finally, Agency Services requests that the changes specified in this title reallocation become effective beginning on the first pay period following Civil Service Commission (Commission) approval of these actions.

N.J.A.C. 4A:3-1.2 provides, in part, that the Commission may reallocate titles from the competitive to the non-competitive division when competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job or when 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.

Based on all of the foregoing, ample reasons exist for the reallocation of the proposed title to the non-competitive division of the career service. In this regard, competitive testing is not practicable due to the registration required for this position. Accordingly, candidates must possess specific knowledge and skills and meet minimum Sub-code related job experience standards to obtain the necessary registration. Further, the examination process is redundant as possession of, or eligibility for, registration as Building Inspector Trainee issued by the New Jersey Department of Community Affairs establishes that the candidate has already met the requirements necessary to qualify for this title.

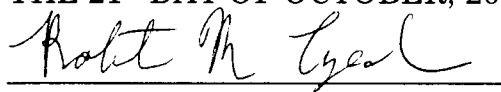
Under current Civil Service rules, reallocation of the named title will result in the granting of permanent status and all attendant Civil Service rights and privileges currently accorded employees in the non-competitive division of the career service. Seniority for any affected permanent employee would be continuous and include all permanent service in the reallocated title. As of the effective date of reallocation, all employees serving provisionally in these affected titles are to be recorded as permanent, pending completion of the required working test period.

ORDER

Based on all of the above, it is ordered that the title be reallocated to the non-competitive division. It is further ordered that such action be effective October 31, 2015.

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 21st DAY OF OCTOBER, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Kenneth Connolly
Kelly Glenn
Hilary Hyser

DATE: September 25, 2015

TO: Civil Service Commission

FROM: Kenneth Connolly, Director *Kenneth Connolly*
Division of Agency Services

SUBJECT: Change in Local Titles from Competitive to Noncompetitive

Local Titles - Class of Service Reallocation

Ewing Township requests the reallocation of the title Building Inspector Apprentice (L-06269) from the competitive division to the noncompetitive division of the Career Service. This action will provide local jurisdictions with the flexibility needed to meet their staffing needs.

These titles have been identified as appropriate for the noncompetitive class of service based on the criteria defined in *N.J.A.C. 4A:3-1.2(c)1*, which states:

“(c) A job title may be placed in the noncompetitive division on an ongoing or interim basis when it is determined by the Commissioner that it is appropriate to make permanent appointments to the title and 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.”

It has been determined that competitive testing is not practicable due to the registration required for this position. Candidates must possess specific knowledge and skills and meet minimum appropriate Sub-code related job experience standards to obtain the necessary registration. The evaluation process is redundant as possession of, or eligibility for, registration as a Building Inspector Trainee issued by the New Jersey Department of Community Affairs establishes that the candidate has already met the requirements necessary to qualify for this title.

The title is currently unencumbered.

Any existing eligibility lists for this title and any current announcements for which exams have not been administered will be cancelled upon successful completion of the reallocation process.

Local agencies wishing to do so may recruit and appoint from cancelled lists which have not technically expired. However, resulting appointments will be recorded as permanent in the noncompetitive division. Appointment types for existing employees in these titles as of the effective date will be handled in accordance with *N.J.A.C. 4A: 3-1.2(f)*.

- Permanent employees in that title as of the effective date shall have their appointment types changed to RAN, and shall retain their permanent status in the noncompetitive division.

- Probationary employees in that title as of the effective date shall continue serving their working test periods and, upon successful completion, attain permanent status in the noncompetitive division.
- Provisional employees who remain in that title as of the effective date shall receive regular appointments and begin serving their working test periods on the effective date.

CHANGE IN CLASS OF SERVICE:

Effective: This action will become effective the first pay period immediately following the Commission's approval.

From:

Building Inspector Apprentice
L-06269 Career C

To:

Building Inspector Apprentice
L-06269 Career NC

KC/JT/GB/TL