



B-19

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Thurman Miller,
Executive Assistant 2 (PS0469I),
Department of Corrections

Examination Appeal

CSC Docket No. 2016-580

ISSUED: NOV 06 2015 (SLK)

Thurman Miller appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Executive Assistant 2 (PS0469I), Department of Corrections, Garden State Youth Correctional Facility.

The examination at issue was announced with specific requirements that had to be met as of the April 21, 2015 closing date (see attached). The appellant was the only employee that applied for the examination which was cancelled due to a lack of qualified applicants.

On his application, Mr. Miller indicated that he was provisionally serving in the subject title from June 2014 to the April 21, 2015 closing date, an Assistant Social Work Supervisor from June 2011 to June 2014, a Social Worker 2, Corrections from July 2007 to June 2011, and a Social Worker 2 from July 2001 to July 2007. Personnel records indicate that he was provisionally serving in the subject title from June 2014 to the April 21, 2015 closing date, an Assistant Social Work Supervisor from October 2012 to June 2014, a Social Worker 2, Corrections from July 2007 to October 2012, a Social Worker 2 from June 2001 to July 2007, and a Youth Worker from July 2000 to June 2001. The appellant also indicated that he has a Master's degree in Administrative Science. Agency Services credited him with one year of experience for his Master's degree and eleven months of experience for his provisional service in the subject title, but determined that he lacked two years and one month of experience.

On appeal, Mr. Miller provides further clarification of his duties since June 2011 and he submits his Performance Evaluation Systems (PES) from June 2011 to June 2012 and June 2012 to June 2013 that indicate that the appellant was performing the required duties out-of-title as a Social Worker 2, Corrections and as an Assistant Social Work Supervisor since June 2011.

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.

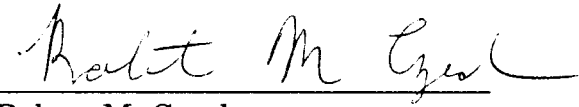
Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was credited with having one year and eleven months of experience based on his Master's degree in Administrative Science and his provisional service in the subject title, but he lacked the required relevant experience to establish eligibility. Any relevant experience the appellant gained as a Social Worker 2, Corrections and as an Assistant Social Work Supervisor would be out-of-title-work. However, the appellant's PES's confirm that the appellant has been performing the required out-of-title duties as a Social Worker 2, Corrections and an Assistant Social Work Supervisor since June 2011. Additionally, the examination was cancelled due to a lack of qualified applicants 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 to admit him to the examination.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded and Thurman Miller'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 5th DAY OF NOVEMBER, 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: Thurman Miller
Lisa Gaffney
Kelly Glenn
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC

SYMBOL: PS04691	WEIGHT CODE: *
TITLE: EXECUTIVE ASSISTANT 2	SALARY: \$67,448.00 - \$96,189.00
ISSUE DATE: April 01, 2015	CLOSING DATE: April 21, 2015
TITLE CODE: 59917/PPRXR7	CLASS CODE: 29
DEPARTMENT: COIY/CORRECTIONS	
UNIT SCOPE: 1365 Garden State Youth Reception & Correctional Facility (Yardville)	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

Open to employees in the competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):

Executive Assistant 3

Or to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute experience as indicated below on a year for year basis.

Experience: Four (4) years of experience in program management with responsibility for planning, organizing, coordinating, staffing, reporting, and budgeting or in assisting an executive with program development and implementation.

A Master's degree in Public Administration, Business Administration, Management or other closely related field may be substituted for one (1) year of experience. You must indicate the details of your Master's degree on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
2. **YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
5. In accordance with Public Law 2010 c.26, **Veterans pay a reduced application fee of \$15.00** if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.**
6. **SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.**
7. **If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.**

DPF-256A * Revised 03/09