

B-11



STATE OF NEW JERSEY

In the Matter of Matthew Dibbs,
Administrative Analyst 2, Fiscal
Management (PS9487G), Department
of Environmental Protection

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-1623

Eligibility Appeal

ISSUED: APR - 6 2015 (LDH)

The Department of Environmental Protection requests that Matthew Dibbs' out-of-title work experience in the title of Environmental Specialist 2 be accepted to qualify him for the promotional examination for Administrative Analyst 2, Fiscal Management (PS9487G), Department of Environmental Protection.

By way of background, in a March 14, 2014 classification determination, the Division of Classification and Personnel Management (CPM)¹ concluded that the proper classification of Dibbs' position was Administrative Analyst 2, Fiscal Management, effective August 10, 2013. As a result, the appointing authority requested a pre-appointment evaluation of Dibbs' credentials for promotion to the subject title. On May 1, 2014, the Division of Selection Services (Selection Services)² determined that Dibbs did not meet the requirements for the position of Administrative Analyst 2, Fiscal Management because his three years and two months of relevant out-of-title work experience could not be accepted without the Civil Service Commission's (Commission) approval.

Thereafter, the promotional examination for Administrative Analyst 2, Fiscal Management (PS9487G), Department of Environmental Protection (DEP) was announced with a closing date of December 22, 2014, and was open, in part, to applicants who possessed a Bachelor's degree including or supplemented by 21 credit hours in any combination of Accounting, Business Administration, Economics

¹ Now the Division of Agency Services.

² Also, now the Division of Agency Services

or Finance courses, and three years of experience in work involving fiscal analysis and evaluation, budgeting and management operations in government, business and/or a management consulting firm. A Master's degree from an accredited college or university in one of the areas listed above could have been substituted for one year of experience. It is noted that two applicants applied for the subject examination.³

On December 2, 2014, the appointing authority requested that *N.J.A.C. 4A:4-2.6(c)* be relaxed to allow Dibbs' out-of-title experience be accepted for the Administrative Analyst 2, Fiscal Management (PS9487G) examination. Specifically, it stated that Dibbs had assumed the duties of an Administrative Analyst 2, Fiscal Management title in April 2011. The appointing authority states that Dibbs took on the out-of-title duties as a result of attrition and the hiring freeze. It is noted that Selection Services confirmed that Dibbs has over three years of relevant out-of-title experience.

CONCLUSION

N.J.A.C. 4A:4-2.6(c) provides that 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, unless good cause is shown for an exception. *N.J.A.C. 4A:1-1.2(c)* provides that a rule may be relaxed for good cause in a particular situation. In the present matter, the appointing authority, CPM and Selection Services verify that Dibbs has been performing relevant out-of-title job duties. Additionally, Dibbs' position classification resulted in his provisional appointment pending promotional examination procedures to the subject title, effective August 10, 2013. Under these circumstances, good cause exists to accept Dibbs' out-of-title work in order to qualify him for the Administrative Analyst 2, Fiscal Management (PS9487G), DEP examination.

ORDER

Therefore, it is ordered that this appeal be granted and Matthew Dibbs' applicable out-of-title experience be accepted for the examination for Administrative Analyst 2, Fiscal Management (PS9487G), Department of Environmental Protection.

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

³ It is noted that the other applicant was deemed ineligible as he was not serving in the correct unit scope.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION
ON THE 1st DAY OF APRIL 2015

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