

B-94



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Reallocation of  
Director, Public Laboratory Services  
and Director, Environmental and  
Chemical Laboratory Services from  
the Competitive to the Non-  
Competitive Division of the Career  
Service

Request for Title Reallocation

CSC Docket No. 2015-2635

ISSUED: APR - 2 2015 (CSM)

The Division of Agency Services (Agency Services) recommends the reactivation and reallocation of the Director, Public Health Laboratory Services and Director, Environmental and Chemical Laboratory Services titles to the non-competitive division of the career service in accordance with *N.J.A.C.* 4A:3-1.2. Agency Services also requests that four titles in the Clinic Nurse title series be designated inactive or archaic. The titles recommended for reallocation to the non-competitive division and to be designated inactive or archaic are listed in the attachment.

In order to comply with federal and State regulations, fill vacancies, and promote succession planning at the Public Health and Environmental Laboratory (PHEL), the Department of Health requests reactivation of the Director, Public Health Laboratory Services and Director, Environmental and Chemical Laboratory Services titles. Agency Services states that the primary function of the titles involves planning, organizing and directing laboratory programs in the area of assignment. Additionally, Agency Services explains that competitive testing is not practicable due to the highly specialized nature, unique requirements, and urgency to fill these highly technical positions in a timely manner. In this regard, for positions assigned to Microbiology Services, the Director, Public Health Laboratory Services requires possession of a doctorate degree in Microbiology, Molecular Microbiology, Clinical Laboratory Sciences, Medicine or closely related discipline and three years of experience in supervising a Public Health Laboratory or high complexity clinical laboratory program. The Director, Environmental and Chemical Laboratory Services requires possession of a doctorate degree in Chemistry, Environmental Sciences or Physical or Biological sciences and five years of

experience in supervising a chemical, environmental or public health laboratory program. As such, Agency Services recommends that these titles be reallocated to the non-competitive division. Further, Agency Services requests that four titles in the Clinic Nurse title series be inactivated or designated archaic due to non-use.

Agency Services advises that it has provided notice and the opportunity to review the proposal to all collective negotiations units and all articulated issues have been reviewed and resolved. Finally, Agency Services requests that the changes specified in this title reallocation become effective beginning on the first pay period following 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.

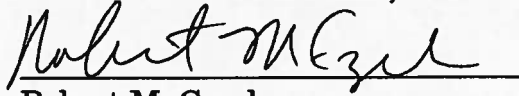
Based on all of the foregoing, ample reasons exist for the reallocation of the proposed titles to the non-competitive division of the career service. The titles are highly specialized and have unique requirements, and the need for compliance with federal and State regulations associated with the operation of the PHEL makes it urgent that these positions be filled in a timely manner. Therefore, competitive testing is impracticable for these titles. Additionally, due to the long-term non-use of the four titles in the Clinic Nurse title series, it is appropriate to inactive or designate these titles archaic.

### **ORDER**

Based on all of the above, it is ordered that the titles listed in the attachment be reallocated to the non-competitive division. It is further ordered that the four titles in the Clinic Nurse title series be made inactive and designated archaic. Finally, it is further ordered that such action be effective April 4, 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 1<sup>ST</sup> DAY OF APRIL, 2015**



**Robert M. Czech  
Chairperson  
Civil Service Commission**

**Inquiries  
and  
Correspondence**

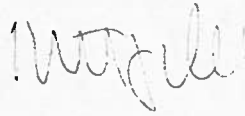
**Henry Maurer  
Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312**

**Attachment**

**c: Kenneth Connolly  
Kelly Glenn  
Loreta P. Sepulveda**

DATE: March 27, 2015

TO: The Civil Service Commission

FROM: Kenneth Connolly, Director  
Division of Agency Services 

SUBJECT: Change in State Classification Plan

## DEPARTMENT OF HEALTH

We request the reactivation of two (2) titles, the inactivation of three (3) titles, and one (1) title to be designated archaic for the purpose of preventing future appointments.

The Department of Health requests the reactivation of the following titles; Director, Public Health Laboratory Services (M35-02009) and Director, Environmental and Chemical Laboratory Services (M35-03169). The titles will be utilized exclusively within the Public Health and Environmental Laboratory (PHEL), Department of Health. PHEL is the only high complexity Public Health laboratory in the State of New Jersey. It provides diagnostic services to the residents of New Jersey through its programs in newborn screening, bio and chemical threat preparedness, water quality, identification of infectious disease outbreaks, radio-analytic testing, and chemical analysis of drinking and surface water.

The title reactivations are necessary to comply with Federal and State regulations, fill vacancies, and promote succession planning at the PHEL.

The primary function of the titles involves planning, organizing, and directing laboratory programs in the area of assignment.

It is recommended the titles be reallocated to the Non-Competitive Division of the Career Service in accordance with N.J.A.C. 4A:3-1.2(c) 1. It is our opinion that competitive testing is not practicable due to their highly specialized nature, unique requirements, and urgency of the matter to fill these highly technical positions in a timely manner.

The titles will be assigned to Managerial, Represented '&' upon their reactivation. Attached is documentation that the negotiation representative notice required by N.J.A.C. 4A:3-3.3(f) and N.J.A.C. 4A:3-1.2(e) has been made.

The title specifications have been modified to better reflect the type of work performed by incumbents, and replace antiquated language with current laboratory terminology.

We request the inactivation of three nursing titles, all of which have been vacant for over five years. In addition, it is requested that one nursing title be designated archaic. The sole incumbent will remain in the title, but no new appointments will be made. The title will be inactivated once unencumbered.

We await your approval regarding this request.

**TITLE REACTIVATION:**

**Effective:** Changes will be effective the first pay period following the Commission's approval.

Director, Public Health Laboratory Services  
&35-02009 Career/NC K NL/12

Director, Environmental and Chemical Laboratory Services  
&35-03169 Career/NC K NL/12

**TITLE INACTIVATION:**

**Effective:** Changes will be effective the first pay period following the Commission's approval.

Clinic Nurse  
P17-03952 Career/NC \* 3E/12

Clinic Nurse  
P19-07750 Career/C \* 40/12

Senior Clinic Nurse  
P21-07751 Career/C \* 40/12

**TITLES TO BE DESIGNATED ARCHAIC:**

**Effective:** Changes will be effective the first pay period following the Commission's approval.

**NOTE:** This title will be designated archaic to prevent future appointments.

Senior Clinic Nurse  
P19-03953 Career/C \* 35/12

KC/JT/GB