



STATE OF NEW JERSEY

In the Matter of John C. Smith,
Administrative Analyst 1, Data
Processing (PS9644G),
Department of Environmental
Protection

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-2495

Examination Appeal

ISSUED: MAY 08 2015 (DASV)

The Department of Environmental Protection requests that John C. Smith's out-of-title work experience in the title of Environmental Specialist 4 be accepted to qualify him for a promotional examination for Administrative Analyst 1, Data Processing (PS9644G).

By way of background, in a July 28, 2014 classification determination, the Division of Classification and Personnel Management (CPM)¹ concluded that the proper classification of Smith's position was Administrative Analyst 1, Data Processing. Smith was then to be considered serving provisionally pending promotional examination procedures in the title effective February 8, 2014. Moreover, the appointing authority requested a pre-appointment evaluation of Smith's credentials for promotion to the subject title. On May 15, 2014, the Division of Selection Services (Selection Services) determined that Smith did not meet the requirements for the position of Administrative Analyst 1, Data Processing. It noted that Smith possessed a Bachelor's degree and three years of the required four years of relevant experience from June 2011 to the date of the review. However, Selection Services indicated that most of Smith's experience was obtained through out-of-title work as an Environmental Specialist 4 and could not be accepted without the approval of the Civil Service Commission (Commission).

Thereafter, the promotional examination for Administrative Analyst 1, Data Processing (PS9644G), Department of Environmental Protection, was announced

¹ CPM is now known as the Division of Agency Services.

with a closing date of January 21, 2015, and was open, in relevant part, to applicants who were serving in specified titles or to employees in the competitive division who had an aggregate of one year of continuous service in any competitive title and possessed a Bachelor's degree and four years of experience in work involving the review, analysis and evaluation of organization and administrative practices to determine the need for revision or implementation of data processing systems in a large business or government agency. Two applicants applied for the subject examination, including Smith, who was found ineligible for the reasons set forth by Selection Services in his pre-appointment evaluation. The other applicant was admitted to the examination. The resulting eligible list promulgated on March 26, 2015 and expires on March 25, 2017. A certification has not yet been issued. It is noted that Smith continues serving provisionally in the subject title.

By letter dated February 20, 2015, the appointing authority requested that, pursuant to *N.J.A.C. 4A:4-2.6(c)*, Smith's out-of-title work experience be accepted for a promotional examination for Administrative Analyst 1, Data Processing. Specifically, it stated that Smith had assumed the duties of an Administrative Analyst 1, Data Processing in June 2011, while serving in the competitive title of Environmental Specialist 4. The appointing authority indicated that Smith performed the out-of-title duties as a result of attrition and the hiring freeze. It emphasized that Smith's position was reclassified into the subject title.

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. Additionally, *N.J.A.C. 4A:4-2.6(a)* states that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. Moreover, *N.J.A.C. 4A:1-1.2(c)* provides that the Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

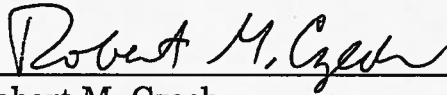
In the present matter, the appointing authority, CPM, and Selection Services have verified that Smith performed relevant out-of-title duties. Additionally, Smith's position classification determination resulted in his provisional appointment pending promotional examination procedures to the subject title effective February 8, 2014. Further, Smith continues serving provisionally in the subject title and now possesses the required four years of experience (from June 2011 to May 2015). Moreover, the subject eligible list is incomplete. Under these circumstances, good cause exists to accept Smith's out-of-title work and his experience beyond the closing date, for eligibility purposes only, and admit him to the subject examination.

ORDER

Therefore, it is ordered that this request be granted, and John C. Smith be admitted to the examination for Administrative Analyst 1, Data Processing (PS9644G), Department of Environmental Protection, for prospective appointment 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 6TH DAY OF MAY, 2015



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