



CSC
B-32

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matters of Susan Sanna-
Bartelt and Sonya Thompson,
Contract Administrator 2 (PS8963H),
Department of Health

Examination Appeals

CSC Docket Nos. 2015-1929 and
2015-2103

ISSUED: **JUN 23 2015** (HS)

Susan Sanna-Bartelt and Sonya Thompson appeal the determinations of the Division of Agency Services (Agency Services), which found that they did not meet the experience requirement for the promotional examination for Contract Administrator 2 (PS8963H), Department of Health (DOH). Since these appeals address similar issues, they have been consolidated herein.

The subject examination announcement was issued with a closing date of August 21, 2014. The examination was open, in part, to employees who possessed a Bachelor's degree and three years of experience in work involving contract/grant work, project financing, construction management, fiscal administration, social services administration, and/or budget and management operations of a government or business entity, at least one year of which shall have involved responsibility for some aspect of contract/grant administration. Applicants who did not possess the required education could substitute additional experience as indicated on a year for year basis with 30 semester hour credits being equal to one year of experience. A Master's degree in Accounting, Finance, Business Administration, Public Health, Public Administration, Hospital Administration or Social Work (with concentrations in Health, Administration or Social Policy) could be substituted for one year of the general experience. The eligible list of one name promulgated January 1, 2015 and expires December 31, 2017. The only eligible was appointed from the January 2, 2015 certification.

Sanna-Bartelt indicated on her application that she served as a Contract Administrator 2 from March 2014 to the closing date and as a "Program

Management Officer” from November 2004 to March 2014.¹ Sanna-Bartelt indicated that her major duties as a “Program Management Officer” were to provide budget and contract administration and health service grant management for programmatic State funding; coordinate, process, manage and monitor the development and implementation of health service grant contracts to ensure programmatic requirements and specifications are met; maintain ongoing surveillance of subcontracts; identify problematic program practices and recommend adjustments as needed; direct, coordinate, provide technical assistance and advise grantee agencies regarding grant proposal applications, budget revisions and grant amendments in the System for Administering Grants Electronically (SAGE) to advance the quality of program planning; prepare, monitor and analyze program budgets and provide fiscal oversight; develop and evaluate contract and program specifications by overseeing programmatic activities and projects; conduct investigations of reports of improper compliance or incomplete reporting techniques per grant contract specifications; prepare federal grant applications; and collect and compile data for submission in the federal budget request. Agency Services credited Sanna-Bartelt with six months of applicable experience for her provisional service as a Contract Administrator 2. Agency Services did not credit Sanna-Bartelt for her experience from November 2004 to March 2014 noting that this experience was out-of-title. Therefore, Sanna-Bartelt was found to be lacking two years and six months of experience, including six months of experience in some aspect of contract/grant administration.

Thompson indicated on her application that she served as a Contract Administrator 2 from June 2013 to the closing date and as a “Public Health Representative I/Program Management Officer” from April 2009 to the closing date.² Thompson indicated that her major duties in these positions were to provide program management and monitoring to agencies in relation to HIV prevention, counseling and testing and care health services grants; collaborate with the Grants Management Officer including, but not limited to, grant submission, expenditures reports, and modification and revision of grants. Agency Services credited Thompson with one year and three months of applicable contract/grant administration experience for her provisional service as a Contract Administrator 2. Agency Services did not credit Thompson for her experience from April 2009 through May 2013, noting that this experience was out-of-title. Therefore, Thompson was found to be lacking one year and nine months of experience.

¹ Agency records indicate that Sanna-Bartelt served as a provisional Contract Administrator 2 from March 22, 2014 through the closing date and as a Public Health Representative 1 from November 27, 2004 through March 21, 2014.

² Agency records indicate that Thompson served as a provisional Contract Administrator 2 from June 15, 2013 through the closing date and as a Public Health Representative 1 Communicable Disease from October 18, 2003 through June 14, 2013.

On appeal, Sanna-Bartelt argues that the duties she performed from November 2004 to March 2014 compare favorably with the job specification for Contract Administrator 2 and should be credited. In support, three of her former supervisors, Nuris Rodriguez, former Executive Director, Candido Africa, Research Scientist 1, and Margaret Rojewski, former Coordinator, Primary and Preventive Health Services, describe Sanna-Bartelt's duties over the period from June 2010 through March 2014. In summary, they indicate that Sanna-Bartelt conducted bidders' conferences for eligible contractees; provided daily contractual oversight and budgetary negotiations for various health service contracts; coordinated all aspects of the contracts including technical assistance, managing SAGE for processing new contracts and renewals, monitoring contract deliverables and conducting fiscal oversight of grants and grant budget amendments; prepared federal and professional services contracts; ensured contractual compliance with DOH policy, including through site visits; and provided direction regarding the grant process.

On appeal, Thompson argues that she has been performing relevant grants management duties since April 2009. In support, Connie Meyers, Assistant Commissioner, states that since April 2009, Thompson has been dedicated to grants management work full-time, with responsibilities centered on the management and monitoring of HIV prevention grants. Specifically, she indicates that Thompson reviewed requests for funding proposals; worked with SAGE; reviewed and negotiated grant activity pertaining to funding sources, guidance and standards; monitored program activities and associated spending; processed quarterly progress reports; reviewed requests for revisions and amendments to grants; and recommended methods to intervene with programs struggling with contractual activities.

Agency records indicate that both appellants continue to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination 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 may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

Agency Services correctly determined that the appellants were ineligible for the subject examination because they lacked the requisite amount of creditable experience as of the August 21, 2014 closing date. On appeal, Sanna-Bartelt argues that she performed applicable duties while serving in the title of Public Health Representative 1, and Thompson argues that she performed applicable duties while

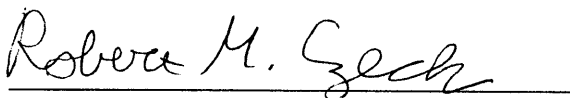
serving in the title of Public Health Representative 1 Communicable Disease. However, the appellants' performance of applicable duties while serving in these titles would be considered out-of-title work. Ordinarily, the Civil Service Commission (Commission) looks to whether or not "good cause" has been established in determining whether to grant or deny appeals involving out-of-title work. Generally, the Commission finds good cause where the record evidences that the examination situation is not competitive, no third parties are adversely impacted, and the appointing authority wishes to effect permanent appointments and verifies that the appellants have performed the relevant duties which otherwise satisfy the eligibility requirements. *See In the Matter of John Cipriano, et al.* (MSB, decided April 21, 2004). In this particular case, the record evidences that the examination situation is not competitive since there are no active eligibles on the eligible list, and therefore, no third parties are adversely impacted. The appellants' superiors attest that the appellants have performed applicable out-of-title duties. This represents approximately three years and nine months of additional contract/grant administration experience for Sanna-Bartelt and approximately four years and two months of additional contract/grant administration experience for Thompson. Additionally, the appellants continue to serve provisionally in the subject title. As such, good cause exists to accept the appellants' out-of-title work experience, for eligibility purposes only, and admit them to the examination.

ORDER

Therefore, it is ordered that these appeals be granted and the appellants' applications be processed.

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 17TH DAY OF JUNE, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c. Susan Sanna-Bartelt
Sonya Thompson
Loreta Sepulveda
Kelly Glenn
Joseph Gambino

