

B-17



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Keisha Brown,
Assistant Buyer (PS8842G),
Department of Environmental
Protection

Examination Appeal

CSC Docket No. 2015-2867

ISSUED: 16 2015 (SLK)

Keisha Brown appeals the determination of the Division of Selection Services¹ (Selection Services) that she was below the minimum requirements in experience for the promotional examination for Assistant Buyer (PS8842G), Department of Environmental Protection.

The examination at issue was announced with specific requirements that had to be met as of the June 21, 2014 closing date (see attached). A total of four employees applied for the examination which was cancelled due to a lack of qualified applicants.

On her application, Ms. Brown did not list any college credits. Therefore, she needed five years of applicable experience as of the closing date. With regard to experience, she indicated that she was provisionally serving in the subject title from May 2009 to the June 21, 2014 closing date, a Customer Service Representative 2 from January 1996 to May 2009, a Principal Clerk Typist from June 1989 to January 1996, a Senior Clerk Typist from May 1988 to June 1989, and a Clerk Typist from May 1986 to June 1989. Personnel records indicate that she was provisionally serving in the subject title from July 2012 to the June 21, 2014 closing date, a Customer Service Representative 2 from March 1999 to July 2012, a Principal Clerk Typist from June 1989 to March 1999, a Senior Clerk Typist from May 1988 to June 1989, and a Clerk Typist from May 1986 to May 1988. Selection Services credited the appellant with two years of experience based on her

¹ Now known as the Division of Agency Services.

provisional service in the subject, but determined that she lacked three years of experience.

On appeal, Ms. Brown presents that since May 2009 she has been performing the duties of an Assistant Buyer for the Procurement Unit and provides examples of these duties. The appointing authority has also confirmed that the appellant was reassigned to the Procurement Unit in May 2009 for operational needs due to attrition and the State hiring freeze.

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.

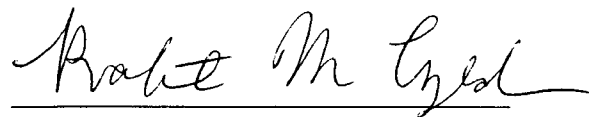
Initially, it is noted that Selection Services correctly determined that the appellant was not eligible for the subject examination. Ms. Brown was credited with having two years of experience based on her provisional service in the subject title, but she lacked the required relevant experience to establish eligibility. Any relevant experience the appellant gained as a Customer Service Representative 2 would be out-of-title-work. However, the appointing authority has verified that Ms. Brown performed the required out-of-title duties from May 2009 to July 2012 due to the appointing authority's business necessity. 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 her to the examination.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded and Keisha Brown'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 15th DAY OF JULY, 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: Keisha Brown
Deni Gaskill
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: **PS8842G**

WEIGHT CODE: *

TITLE: **ASSISTANT BUYER**

SALARY: **\$44,278.00 - \$62,445.00**

ISSUE DATE: **June 01, 2014**

CLOSING DATE: **June 21, 2014**

TITLE CODE: **52662/FXRXR7**

CLASS CODE: **19**

DEPARTMENT: **EPA/ENVIRONMENTAL PROTECTION**

UNIT SCOPE: **G-403 Division of Budget and Finance (Division-wide)**

**ONLY ON LINE APPLICATIONS
 WILL BE ACCEPTED
 FOR THIS ANNOUNCEMENT**

Open 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 additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: One (1) year of experience in the large scale purchase of commodities, equipment and supplies.

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