



B-31

In the Matter of Beatriz Perez, Buyer
(PC0008T), Essex County

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-3142

Examination Appeal

ISSUED: **JUL 17 2015** (CSM)

Beatriz Perez appeals the determination of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Buyer (PC0008T), Essex County.

The examination at issue was announced with specific requirements that had to be met as of the closing date of January 21, 2015 (see attached). The subject examination was cancelled on June 4, 2015 due to a lack of qualified applicants.

The appellant indicated on her application that she was provisionally serving in the title under test from December 2000 to the closing date, January 2015. A review of the appellant's official personnel records indicates that she was provisionally serving in the title under test from October 2014 to the closing date, a Keyboarding Clerk 2 from November 2012 to October 2014, a Purchasing Assistant from April 2011 to November 2012, a Keyboarding Clerk 1, Bilingual in Spanish and English from December 2006 to April 2011 and from December 2000 to April 2006 and a provisional Buyer from April 2006 to December 2006. The appellant did not indicate completion of any college credits. Agency Services credited the appellant with two years and ten months of experience based on her provisional service in the title under test and as a Purchasing Assistant but determined that the remainder of her experience was not applicable. Therefore, the appellant would need an additional three years and two months of experience to qualify for the subject examination.

On appeal, the appellant highlights her provisional experience in the title under test as well as her purchasing experience since 2002. James J. Jorgensen, Director of Purchasing, Essex County, verifies that the appellant has been performing out-of-title duties handling large dollar bids for such things as computer supplies, janitorial supplies and commissary supplies for the Essex County Correctional Facility due to business necessity for over ten years.

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.

CONCLUSION

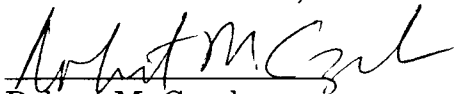
In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was properly credited with two years and ten months of experience based on her provisional service in the title under test and as a Purchasing Assistant. Primarily performing large scale purchase of commodities, materials, equipment and/or supplies would be considered out-of-title work for an incumbent in the Keyboarding Clerk title series. However, the Director of Purchasing has verified that the appellant has performed over ten years of the required out-of-title duties due to business necessity. Additionally, the subject examination was cancelled and the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause exists to accept the appellant's out-of-title work experience and admit her to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and Ms. Perez's application 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
15TH DAY OF JULY, 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
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Attachment

- c. Beatriz Perez
Alan Abramowitz
Kelly Glenn
Kenneth Connolly

NEW JERSEY CIVIL SERVICE COMMISSION
 COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC

SYMBOL: PC0008T	WEIGHT CODE: *
TITLE: BUYER	SALARY: \$29,302.00 - \$51,846.00
ISSUE DATE: January 01, 2015	CLOSING DATE: January 21, 2015
TITLE CODE: 00960/ MXRGR7	JURISDICTION CODE: N0700001
JURISDICTION: ESSEX COUNTY	
DEPARTMENT: ADMINISTRATION AND FINANCE	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date and are currently serving in the following title(s):

Assistant Buyer 00340

Or 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 meet the above educational requirement may substitute additional experience as indicated below on a year-for-year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Two (2) years of experience in the large scale purchase of commodities, materials, equipment and/or supplies.

Note: 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 must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
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-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, 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.** (i.e. Police, Fire, Corrections and Sheriff).
6. **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 of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.**

DPF-256A * Revised 03/09