



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Reallocation of Chief
Examiner from the Competitive to
the Non-Competitive Division of the
Career Service

CSC Docket No. 2016-4

Request for Title Reallocation

ISSUED: JUL 18 2015 (SLK)

The Division of Agency Services (Agency Services) recommends the reallocation of the Chief Examiner title to the non-competitive division of the career service in accordance with *N.J.A.C.* 4A:3-1.2.

The rationale for reallocating this title is to provide the Department of Banking and Insurance (DOBI) with the flexibility needed to more efficiently and quickly meet its hiring responsibilities. DOBI advises that it has had difficulty recruiting for these positions due to salary restrictions. Further, due to upcoming accreditation review, it is imperative that key management positions be filled expeditiously. Therefore, the certification process based on a ranked eligible list is not a viable option. Agency Services explains that competitive testing is not practicable due to the nature of the knowledge, skills and abilities associated with the job. Chief Examiner is used exclusively by DOBI in three distinct units: Office of Consumer Affairs – Examinations, Office of Depositories, and the Field Examination Staff. In this regard, the title of Chief Examiner requires a Bachelor's degree along with six years of accounting experience in a regulated financial institution including, but not limited to a bank, savings and loan association, and/or credit union, three years of which shall have been in a supervisory capacity. As such, Agency Services recommends that this title be reallocated to the non-competitive division.

Agency Services advises that there are no existing eligibility lists for this title. Further, future appointments to this title subsequent to this reallocation shall be appointed as RAN, and shall retain their permanent status in the non-competitive division of the career service.

Agency Services advises that it has provided notice and the opportunity to review the proposal to the affected collective negotiations unit 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 Civil Service Commission (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 title is highly specialized and has unique requirements, and the need for compliance with federal and State regulations associated with the operation of the DOBI makes it urgent that these positions be filled in a timely manner. Therefore, competitive testing is impracticable for these titles.

ORDER

Based on all of the above, it is ordered that the title be reallocated to the non-competitive division. Finally, it is further ordered that such action be effective July 25, 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 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: Kenneth Connolly
Kelly Glenn
Dana Foraker

MEMORANDUM

DATE: June 30, 2015

TO: The Civil Service Commission

FROM: Kenneth Connolly, Director *Kenneth Connolly*
Division of Agency Services

SUBJECT: Change in the State Classification Plan

COMPETITIVE TO NON-COMPETITIVE TITLE REALLOCATION

The Department of Banking and Insurance (DOBI) requests the reallocation of the title Chief Examiner (M35-54866 and &35-61079) from the Competitive to Non-Competitive Division of the Career Service in accordance with N.J.A.C. 4A:3-1.2(c)1 which states:

“(c) A job title may be placed in the noncompetitive division on an ongoing or interim basis when it is determined by the Commissioner that it is appropriate to make permanent appointments to the title and one or more of the following criteria are met.

1. Competitive testing is not practicable due to the nature of the knowledge, skills and abilities associated with the job.”

Chief Examiner is used exclusively by DOBI, in three distinct units, Office of Consumer Affairs – Examinations, Office of Depositories, and the Field Examination Staff. The title requires a bachelor’s degree along with six (6) years of experience as a regulator examining or auditing regulated financial institutions or, accounting or auditing experience in a regulated financial institution including, but not limited to a bank, savings and loan association, and/or credit unions, three (3) years of which shall have been in a supervisory capacity. Based on the high level of specific experience required for this title, it is not practicable to give an exam.

There are no existing eligibility lists for this title.

Future appointments to this title subsequent to this class of service reallocation shall be appointed as RAN, and shall retain their permanent status in the non-competitive division of the career service.

CHANGE IN CLASS OF SERVICE:

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

Chief Examiner				Chief Examiner			
M35-54866	Career (C)	X	NL/12	M35-54866	Career (<u>NC</u>)	X	NL/12
&35-61079	Career (C)	X	NL/12	&35-61079	Career (<u>NC</u>)	X	NL/12

KC/JT