



B-78

In the Matter of Christopher Davino,
Assistant Recreation Supervisor
(PC0643S), Monmouth County

CSC Docket No. 2015-1199

STATE OF NEW JERSEY
FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED: JUL 17 2015 (CSM)

Christopher Davino appeals the determination of the Division of Agency Services (Agency Services) which found that he was below the minimum requirements in experience for the promotional examination for Assistant Recreation Supervisor (PC0643S), Monmouth County.

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 nine employees applied for the subject examination that resulted in a list of one eligible with an expiration date of May 13, 2018.

Mr. Davino indicated on his application that he was a Recreation Program Coordinator from August 2004 to the closing date, June 2014. From January 2002 to August 2004 he was President of VAT Solutions, LLC and from November 1994 to August 2001 he was a Senior Audit Manager with Meridian VAT Reclaim. Mr. Davino indicated possession of a Bachelor's degree. Agency Services credited Mr. Davino for his Bachelor's degree but determined that his experience was not applicable.

On appeal, Mr. Davino states that his Bachelor's degree in Athletic Administration with a minor in business satisfies the criteria in the announcement with permits applicants to substitute a Bachelor's degree in Recreation or in Park and Recreation Management for the required one year of experience. In support, Mr. Davino provides documentation from Glenn Gerstner, Chair of the Division of Sport Management, St. John's University, which verifies that the name of the Athletic Administration degree was changed to Sports Management and that the

academic program is designed to prepare students for careers in sport and recreation management. Additionally, the appellant highlights his experience and questions why professional experience would be considered out-of-title work for an incumbent in his permanent title.

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.

CONCLUSION

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that Mr. Davino was not eligible for the examination. Incumbents in the Recreation Program Coordinator title primarily perform non-professional work taking the lead over and coordinating the activities of persons engaged in the operation of a recreation facility or facilities. As such, experience in professional recreation work involving the planning, promoting, and development of a general professional recreation program would be considered out-of-title work for incumbents in the Recreation Program Coordinator title. *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.

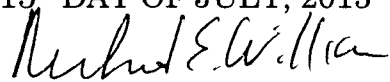
However, when candidates possess a degree, the accumulation of a set number of semester-hour credits in a course area (this may vary from 24 to 30) other than that for which the degree was conferred, at times, may be used to satisfy the educational requirements. In order for this substitution to be accepted, the candidate must provide documentation from an accredited institution of higher learning stating that the school would accept the candidate's credits in the particular course area as satisfying the requirements for a major at that institution. This documentation from the institution must come from the Department Head or Chair associated with the major or course area in question. *See In the Matter of Jason Tesauro* (MSB, decided February 27, 2002). In this case, Mr. Davino has provided documentation from the Chair of the Division of Sport Management, St. John's University, confirming that his degree in Athletic Administration provided the necessary academic background in recreation management. Additionally, the examination situation is not competitive. Therefore, good cause exists to accept Mr. Davino's degree in Athletic Administration to substitute for the required one year of experience.

ORDER

Therefore, it is ordered that this appeal be granted and Mr. Davino'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



Richard E. Williams
Member
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. Christopher Davino
Kelly Glenn
Joseph Gambino

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: PC0643S	WEIGHT CODE: *
TITLE: ASSISTANT RECREATION SUPERVISOR	SALARY: \$42,000.00 - \$72,900.00
ISSUE DATE: June 01, 2014	CLOSING DATE: June 21, 2014
TITLE CODE: 00682@/ FDRNR5	JURISDICTION CODE: T13000049
JURISDICTION: MONMOUTH COUNTY	
DEPARTMENT: PARKS	

RETURN COMPLETED APPLICATIONS TO: **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 professional recreation work involving the planning, promoting and development of a general professional recreation program.

Note: Possession of a Master's degree in Recreation or in Park and Recreation management from an accredited college or university may be substituted for the experience. You must indicate the details of your Master's degree 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.

Note: Graduation from an accredited college or university with a Bachelor's degree in Recreation or in Park and Recreation Management may be substituted for the experience. You must indicate the details of your Bachelor's degree 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.

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 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