

B-17



STATE OF NEW JERSEY

In the Matter of Tezra Stanley,
Technical Program Assistant
(PS3192I), Department of Corrections

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-1834

Examination Appeal

ISSUED: MAY 08 2017 (JET)

Tezra Stanley appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirement for the promotional examination for Technical Program Assistant (PS3192I), Department of Corrections.

The promotional examination was announced with specific requirements which had to be satisfied by the July 21, 2016 closing date (see attached). It was noted that applicants who did not possess the required experience could have substituted semester hour credits from an accredited college or university on a year-for-year basis with 30 semester hour credits being equal to one year of experience. One candidate was admitted and the resultant eligible list promulgated on November 24, 2016. To date, no certifications have been issued, and no appointments have been made.

On her application and resume, the appellant listed that she possessed 15 college credits. Agency Services credited her with six months of applicable experience for her education. The appellant also listed that she served as a provisional Technical Program Assistant from November 2015 to the July 21, 2016 closing date and as a Secretarial Assistant 3 from October 1997 to November 2015. She also indicated that she served in several other clerical titles from July 1990 to October 1997. Agency Services credited her with nine months of applicable experience for her provisional work in the subject title, but did not credit her with any other applicable experience. Accordingly, Agency Services determined that the appellant lacked three years and nine months of applicable experience.

On appeal, the appellant maintains that she meets the experience requirement for the subject examination. In support, the appellant submits a letter from Russell Horton, Engineer in Charge of Maintenance 1, South Woods State Prison, who states that the appellant performed the duties of a Technical Program Assistant from July 2007 to June 2013, including serving as Inmate Remedy Coordinator, completing inmate remedy requests and processing OPRA requests. She also submits a letter from Christopher Cline, Assistant Superintendent, South Woods State Prison, who confirms that the appellant performed the duties of a Technical Program Assistant on an out-of-title basis from September 2014 to November 2015.

Official personnel records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 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.

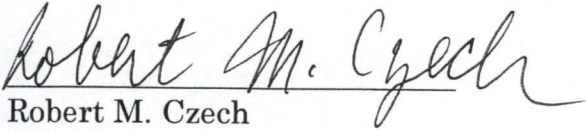
Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. Primarily performing the required duties to establish eligibility for the subject examination would be considered out-of-title work for incumbents in the Secretarial Assistant 3 title. However, the Engineer in Charge Maintenance 1 and the Assistant Superintendent, South Woods State Prison, have verified that the appellant has been performing duties applicable to the subject title since 2007. Further, the appellant continues to serve as a provisional Technical Program Assistant and the situation is not competitive, as there is only one other eligible candidate on the Technical Program Assistant list. Under these circumstances, good cause exists to accept the appellant's out-of-title work experience for eligibility purposes only, and admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant'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 3rd DAY OF MAY, 2017



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