

processing support areas of input/output control, scheduling, reliability or user support could be substituted for the required education on a year-for-year basis. In its determination, dated October 11, 2016, DAS found that Mr. Daciek possessed 47 college credits, which prorates to one year, seven months of experience. Therefore, he was required to possess two years, five months of applicable experience. None of his experience was acceptable. However, DAS also found that he possessed 22 years, eight months of out-of-title work experience while serving in the title Software Development Specialist Assistant, which it could not credit. Accordingly, he was found to be lacking two years, five months of applicable experience.

In its petition to the Civil Service Commission, DAS requests that Mr. Daciek's out-of-title work be accepted. It states that he was reassigned duties due to his qualifications and to ensure continuity of business operations. There are no active promotional lists for the subject title, and a special reemployment list and open competitive list are inapplicable.

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 Mr. Daciek's credentials in comparison to the requirements for Technical Support Specialist 2 indicated that he lacked two years, five months of in-title experience per the substitution clause for education. However, the record confirms that he possessed over 22 years of out-of-title experience in his Software Development Specialist Assistant position. With the acceptance of verified out-of-title experience in this case, he satisfies the eligibility requirements. The appointing authority has verified Mr. Daciek was assigned the out-of-title duties due to business necessity and DAS has determined the position would be properly classified as Technical Support Specialist 2. Under these circumstances, good cause is presented to accept Mr. Daciek's out-of-title work in order to qualify him for any upcoming promotional examination for Technical Support Specialist 2.

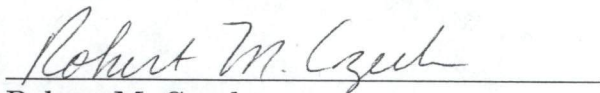
ORDER

Therefore, it is ordered that this request be granted and Mr. Daciek's applicable out-of-title experience be accepted for a prospective promotional examination for the subject title. Mr. Daciek is to provide a copy of this decision with any future promotional application that he submits upon examination announcement for Technical Support Specialist 2. In addition, DAS should also

accept applicable and documented out-of-title work experience from other promotional examination applicants.

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



Robert M. Czech
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