

B-25



In the Matter of Debra Pierce,
Administrative Analyst 2,
Procurement, Office of the Attorney
General

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-707

Request for Administrative Relief

NOV 19 2015

ISSUED: (SLK)

The Office of the Attorney General, on behalf of Debra Pierce, requests that her out-of-title work experience be accepted to qualify her for a prospective promotional examination for Administrative Analyst 2, Procurement, Office of the Attorney General.

By way of background, Ms. Pierce's permanent title is Secretarial Assistant 1, Non-Stenographic. Ms. Pierce submitted a Classification Appeal contending that her duties were more consistent with the title Administrative Analyst 2, Procurement. On May 26, 2015, the Division of Agency Services (Agency Services) issued a determination that her duties would be properly classified by the title Administrative Analyst 2, Procurement with an effective date of January 10, 2015. Thereafter, the Office of the Attorney General requested Agency Services to evaluate the appellant's credentials for a prospective promotional examination for Administrative Analyst 2, Procurement. On July 9, 2015, Agency Services issued a determination that Ms. Pierce did not meet the requirements for the subject title. The title requires a Bachelor's degree and three years in the procurement/purchasing process through the competitive bidding process for a large public or private organization. Agency Services credited Ms. Pierce for her Bachelor's degree, but determined that she lacked three years of the required experience. Agency Services indicated that Ms. Pierce had eight years of relevant experience that she acquired as a Secretarial Assistant 1, Non-Stenographic; however, it noted that this experience was out-of-title and therefore it could not be accepted without the Civil Service Commission's (Commission) approval.

In its request to the Commission, the appointing authority presents that Ms. Pierce was assigned out-of-title duties due to business necessity created by staff attrition and the State-wide hiring freeze. The appointing authority asserts that Ms. Pierce's assignment in the IT Bureau as administrative support staff provided her the opportunity to apply her administrative skills to the purchasing function and she demonstrated her ability to understand IT needs. It maintains that there were no other administrative staff members who could perform the technical duties that require a unique blend of IT and fiscal areas.

A review of agency records indicates that there are no current special or promotional eligible lists for the subject title in Ms. Pierce's unit scope.

CONCLUSION

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

In the present matter, the appointing authority verified that the appellant performed the required out-of-title duties as a Secretarial Assistant 1, Non-Stenographic due to its business necessity created by staff attrition and the State-wide hiring freeze. Additionally, it indicated that Ms. Pierce possesses the educational and experience background necessary to perform the required duties for the subject title and that there are no other administrative staff members who could perform the technical duties that require a unique blend of IT and fiscal areas. Further, there are no current special or promotional eligible lists for the subject title in Ms. Pierce's unit scope. Accordingly, good cause exists to accept Ms. Pierce's out-of-title work experience for a prospective promotional examination to Administrative Analyst 2, Procurement. Further, a promotional examination announcement shall be issued pursuant to *N.J.A.C.* 4A:4-2.5. In this regard, the examination shall be announced open in Ms. Pierce's unit to employees who meet the complete open competitive requirements. In order to eliminate any adverse impact on other potentially eligible employees within the unit scope, the promotional examination shall also be announced open to employees deemed appropriate by Agency Services in accordance with *N.J.A.C.* 4A:4-2.5.

ORDER

Therefore, it is ordered that this request be granted and the provisional appointment of Debra Pierce be authorized, pending promotional examination procedures, to Administrative Analyst 2, Procurement, effective January 10, 2015.

Additionally, it is ordered that the promotional examination be announced in the appropriate unit scope in accordance with this decision. Finally, Ms. Pierce is to provide a copy of this decision with her promotional application upon announcement of the examination.

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 18th DAY OF NOVEMBER, 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
PO Box 312
Trenton, New Jersey 08625-0312

c: Debra Pierce
Mirella Bednar
Kelly Glenn
Joseph Gambino



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
AGENCY SERVICES
P.O. Box 313
Trenton, New Jersey 08625-0313

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

TO: Mirella Bednar, Director
Human Resource Management

DATE: July 9, 2015

FROM: Roxie A. Wesson *RAW*
Human Resource Consultant

SUBJECT: Request for Evaluation

You have requested that a review of credentials be performed in order to determine if Debra Pierce meets the requirements for the position **Administrative Analyst 2, Procurement**.

The requirements for this position include:

Education: A Bachelor's degree from an accredited college or university.

Experience: Three (3) years' experience in the procurement/purchasing process through the competitive bidding process for a large public or private organization.

Substitution: NOTE: Applicants who do not possess the required education may substitute additional experience as indicated on a year-for-year basis with thirty (30) semester credit hours being equal to one (1) year of experience.

NOTE: A Master's degree in Business Administration, Public Administration, Economics, Finance or Accounting may be substituted for one (1) year of experience.

In response, please be advised that the Division of Agency Services' staff have determined that the above-mentioned individual:

[X] Does not meet the requirements of this position for the reasons listed below:

Ms. Pierce possesses a Bachelor's degree. She has no applicable work experience. Therefore, she lacks three years of experience and does not meet the requirements for this position.

Out-of-title work experience for the title under review:

Ms. Pierce possesses eight years of out-of-title experience; however, out-of-title experience cannot be accepted without Civil Service Commission (Board) approval.

Please note: If her out-of-title experience were accepted, she would meet the requirements for this position.

c. Team Leader: Staci Fanelli

