

B-22



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Richard Lambert,  
Supervising Customer  
Representative, Public Utilities  
(PS0630R), Board of Public Utilities

Examination Appeal

CSC Docket No. 2016-160

ISSUED: **AUG 21 2015** (SLK)

Richard Lambert appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Supervising Customer Representative, Public Utilities (PS0630R), Board of Public Utilities.

The examination at issue was announced with specific requirements that had to be met as of the April 21, 2015 closing date (see attached). A total of three employees applied for the subject examination and two were deemed eligible. Certification PS150860 was issued containing the names of the two eligibles. The disposition of the certification has not yet been recorded and the eligible list expires on June 24, 2018.

On his application, Mr. Lambert indicated that he was provisionally serving in the subject title from January 2015 to the April 21, 2015 closing date, a Customer Representative 1, Public Utilities from July 2014 to January 2015, an Administrative Analyst 2 from June 2011 to July 2014, an Administrative Analyst 3 from January 2007 to June 2011, an Administrative Analyst 4 from December 2003 to January 2007, and an Administrative Analyst Trainee from December 2002 to December 2003. Agency Services credited the appellant with 10 months of general and supervisory experience based on his provisional service in the subject title and his experience as a Customer Representative 1, Public Utilities, but determined that he lacked three years and two months of general experience and two months of supervisory experience.

On appeal, Mr. Lambert asserts that the job responsibilities assumed throughout his career are consistent with the experience requirements for the subject title. The appellant presents that in *In the Matter of Richard Lambert* (CSC, decided March 4, 2015) the Civil Service Commission (Commission) found that his responsibilities as an Administrative Analyst 2 were consistent with the duties of a Customer Representative 1, Public Utilities. The appellant submits letters from Julie Ford-Williams, Bureau Chief, Eric Hartsfield, Director, and Kenneth Sheehan, Chief of Staff, confirming that Mr. Lambert, while employed as an Administrative Analyst 2, had been performing the required general and supervisory out-of-title duties due to business necessity. The appellant argues that since there are only two employees on the eligible list, there is good cause for the Commission to accept his out-of-title work so that the appointing authority shall have a complete list.

### 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.

Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. Mr. Lambert was credited with 10 months of the required general and supervisory experience based on his provisional service in the subject title and his experience as a Customer Representative 1, Public Utilities, but he lacked three years and two months of general experience and two months of supervisory experience to establish eligibility. Any relevant general and supervisory experience the appellant gained as an Administrative Analyst 2 would be out-of-title-work. However, Ms. Ford-Williams, Mr. Hartsfield, and Mr. Sheehan have confirmed that Mr. Lambert performed the required general and supervisory duties from June 2011 to July 2014 while serving as an Administrative Analyst 2 due to business necessity. Additionally, the appellant continues to serve provisionally in the title under test. Further, the examination situation is not competitive as there are only two eligibles on the list. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept Mr. Lambert's experience after the closing date, as well as his out-of-title work experience, for eligibility purposes only, and admit him to the subject examination.

**ORDER**

Therefore, it is ordered that the appeal be granted, and Richard Lambert'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 19<sup>th</sup> DAY OF AUGUST, 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: Richard Lambert  
Linda Alford-Fennell  
Kelly Glenn  
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE  
**PROMOTIONAL ANNOUNCEMENT**



**\$25.00 PROCESSING FEE REQUIRED**  
 Make Check/Money Order Payable to NJCSC

SYMBOL: **PS0630R**

WEIGHT CODE: \*

TITLE: **SUPERVISING CUSTOMER REPRESENTATIVE PUBLIC UTILITIES** SALARY: **\$70,903.00 - \$101,040.00**

ISSUE DATE: **April 01, 2015**

CLOSING DATE: **April 21, 2015**

TITLE CODE: **56778/PGRXR9**

CLASS CODE: **28**

DEPARTMENT: **PUA/PUBLIC UTILITIES**

UNIT SCOPE: **R684 Division of Customer Relations**

Visit [www.state.nj.us/csc](http://www.state.nj.us/csc)  
 And select "Job Announcements"  
 to view this announcement and to file an application

**Open to employees in the competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):**

**Customer Representative 1 Public Utilities**

**Or 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.

**Experience:** Four (4) years of experience with a regulatory agency in the investigation and inspection of services furnished by cable television companies or by electric, gas, water, sewer, or telephone utilities and the adjustment of complaints which shall have included one (1) year of supervisory experience.

**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 hour credits being equal to one (1) year of experience.

**Note:** A Master's degree in Business Administration, Public Administration, Psychology, Sociology, or related field may be substituted for one (1) year of indicated nonsupervisory 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.

**License:** Appointee 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.

**Note:** This announcement may be tested via the Supervisory Test Battery, a computer-administered exam. For information regarding the Supervisory Test Battery, please refer to our website <http://www.state.nj.us/csc/seekers/about/steps/step7.html>.

**IMPORTANT INFORMATION**

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
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- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, 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.**
6. **SPECIAL NOTE TO ALL APPLICANTS** Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, **YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.**
7. 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](mailto:OAS.support@csc.state.nj.us) or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so **PLEASE FILE EARLY.**

DPF-256A \* Revised 03/09