



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Kelly Astin,
Specification Writer Purchasing
(PM2216T), Atlantic City

Examination Appeal

CSC Docket No. 2016-3182

ISSUED: **NOV 16 2016** (SLK)

Kelly Astin appeals the determination of the Division of Agency Services (Agency Services) that she was below the minimum requirements in experience for the promotional examination for Specification Writer Purchasing (PM2216T), Atlantic City.

The examination at issue was announced with specific requirements that had to be met as of the October 21, 2015 closing date (see attached). The appellant was the only employee that applied for the examination which was cancelled due to a lack of qualified applicants.

On her application, Ms. Astin did not list any college credits. Therefore, she needed six years of applicable experience per the substitution clause. She indicated that she was provisionally serving in the subject title from July 2015 to the October 21, 2015 closing date and a Purchasing Assistant from April 2007 to July 2015. Agency Services credited her with four months of experience based on her provisional service in the subject title, but determined that she lacked five years and eight months of experience.

On appeal, Ms. Astin states that since she was hired in April 2007 as a Purchasing Assistant she performed the duties of a Specification Writer Purchasing. Further, she lists some of the bids that she worked on and the specific duties that she performed to demonstrate that she has over eight years of experience performing the required duties. Additionally, Mary Mooney, Purchasing Agent, as requested by the appointing authority, confirms that the appellant was

performing the required out-of-title duties since 2007 because the subject title was not one of the titles that the appointing authority used at that time and, as a public entity, it needed someone to write specifications for purchases.

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. The appellant was credited with four months of experience based on her provisional service in the subject title, but she lacked five years and eight months of the required experience needed to establish eligibility. Any relevant experience the appellant gained as a Purchasing Assistant would be out-of-title-work. However, Ms. Mooney confirmed that she has been performing the required out-of-title duties as a Purchasing Assistant since 2007 since the appointing authority did not use the subject title at that time and needed someone to write specifications for purchases due to business necessity. Additionally, the examination was cancelled due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test. Accordingly, good cause exists to accept the appellant's out-of-title work experience, for eligibility purposes only, and to admit her to the examination.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded and Kelly Astin'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 10th DAY OF NOVEMBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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: Kelly Astin
Jason Holt
Kelly Glenn
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION
COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



[Click here to file Online](#) Print
\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

SYMBOL: PM2216T	WEIGHT CODE: *
TITLE: SPECIFICATION WRITER PURCHASING	SALARY: \$30,000.00 - \$45,000.00
ISSUE DATE: October 01, 2015	CLOSING DATE: October 21, 2015
TITLE CODE: 03751/ VXRAR7	JURISDICTION CODE: C01020006
JURISDICTION: ATLANTIC CITY	
DEPARTMENT: REVENUE AND FINANCE	

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to view this announcement and to file an application

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. If you expect to complete additional credits within four months of the closing date, you must also indicate the number of credits and expected completion 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, in addition to the required experience indicated below, applicable experience on a year for year basis, with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Two (2) years of experience in the preparation of purchase specifications and bid proposals.

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. **ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. 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