



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Lauren Manning,
Buyer (PC1688T), Mercer County

Examination Appeal

CSC Docket No. 2016-2365

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

Lauren Manning appeals the determination of the Division of Agency Services (Agency Services), which found that she did not meet the experience requirement for the promotional examination for Buyer (PC1688T), Mercer County.

The subject examination was announced with a closing date of September 21, 2015 and was open, in part, to employees who possessed a Bachelor's degree and two years of experience in the large scale purchase of commodities, materials, equipment and/or supplies. Applicants who did not possess the required education could substitute additional experience as indicated on a year-for-year basis with 30 semester hour credits being equal to one year of experience. It is noted that the appellant was one of two applicants for the subject promotional examination, which was cancelled as both applicants were deemed ineligible.

On her application, the appellant indicated that she possessed a Bachelor's degree and listed her experience, in pertinent part, as a provisional Buyer with Mercer County from June 2015 to the closing date; as a Keyboarding Clerk 2 with Mercer County from December 2012 to June 2015; and as a Keyboarding Clerk 1 with Mercer County from September 2010 to December 2012. The appellant was credited with four months of experience based on her provisional service in the subject title. However, none of the remaining positions listed on the appellant's application was determined to be applicable. Thus, Agency Services determined the appellant lacked one year and eight months of experience.

On appeal, the appellant argues that she has been performing applicable duties since September 2010. For example, she indicates that she was responsible for the contractual obligations to purchase \$3.4 million in road materials, \$947,000 in rock salt over a two-year period of time, and \$350,000 for clothing and footwear. In support, the appellant's former supervisor indicates that from September 2010 to December 2012 the appellant took direct responsibility for all aspects of procurement for the five subdivisions of the Highway Division; dealt with the operating and capital improvement budgets; acted as the liaison between the Highway Division and all vendors; communicated with vendors to acquire proposals for the purchase of goods or services and to determine market and price conditions; entered and tracked requisitions through the approval process; corresponded with vendors to procure goods or services; and monitored contract expenditures for asphalt, concrete and building supplies. The appellant's current supervisor indicates that the appellant has been performing the requisite Buyer duties since January 2011.

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

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination 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 may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

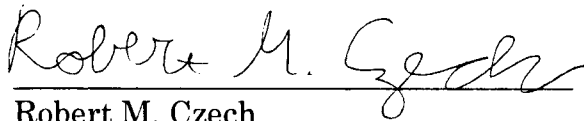
Initially, Agency Services correctly determined that the appellant was ineligible for the subject examination because she lacked the requisite amount of creditable experience as of the September 21, 2015 closing date. On appeal, the appellant claims that she performed applicable duties while serving in Keyboarding Clerk titles from September 2010 until her provisional appointment to the subject title in June 2015. Although the appellant's performance of applicable duties during that timeframe would be considered out-of-title work, the appellant's former supervisor provides a description of the appellant's duties during her employment in the Division of Highways. In addition, the appellant's current supervisor confirms that she has been performing the requisite Buyer duties since January 2011. This represents approximately four years and five months of additional experience. Moreover, the record evidences that the examination situation is not competitive since the examination was cancelled given that both applicants were deemed ineligible. Further, the appellant continues to serve provisionally in the subject title. As such, good cause exists in this particular case 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, the cancellation of the examination be rescinded and the appellant's application be processed.

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
Written Record Appeals Unit
Civil Service Commission
P.O. Box 312
Trenton, New Jersey 08625-0312

c. Lauren Manning
Raissa L. Walker
Kelly Glenn
Records Center

