



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE
ACTION OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Kevin Onderdonk,
Accountant 2 (PS4440P) Department
of Law and Public Safety

CSC Docket No. 2018-46

Examination Appeal

ISSUED: April 10, 2018 (RE)

Kevin Onderdonk appeals the determination of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Accountant 2 (PS4440P) Department of Law and Public Safety.

The subject examination announcement was issued with a closing date of February 21, 2017. The examination was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Accountant 3, or in any competitive title and who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree included or supplemented by 21 credit hours in professional accounting courses AND two years of professional accounting or auditing experience. Applicants who successfully completed the 21 credit hours in accounting courses could substitute experience as indicated for the remaining education on a year for year basis. The appellant was found to be below the minimum requirements in experience per the substitution clause for education. Two candidates filed for the examination and one appeared on the resultant eligible list, which has been certified once, but no appointments have yet been made.

Onderdonk indicated that he possessed 23 college credits in Accounting, which prorates to nine months of experience. Per the substitution clause for education, the appellant was required to possess five years, three months of applicable experience. On his application and resume, the appellant listed

experience in five positions, Accountant 2, Investment Technician, Investment Technician, Investment Technician, and Technical Assistant 1 and 2. Official records indicate a different employment history. These records reveal that the appellant was an Accountant 2, a Program Technician, an Investment Technician, a Technical Assistant 1 Treasury, a Technical Assistant 2 Treasury, and was in clerical titles prior to that. He was credited with four months of qualifying experience in his provisional position, and he was found to be lacking four years, eleven months of applicable experience.

On appeal, Onderdonk states that state that he has the experience to substitute for the required education, and he gained this experience as an Investment Technician in the Department of the Treasury.

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 in pertinent part that applicants for promotional examinations 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. *N.J.A.C.* 4A:4-2.6(c)1 states that good cause may include, but not be limited to, the following: where the number of employees eligible for examination will result in an incomplete list, or where the number of applications does not exceed the number of provisional incumbents by more than one, the applicant may submit a detailed statement from his or her supervisor describing the out-of-title duties performed and the reasons why was necessary to perform such duties.

The appellant was deemed to be ineligible for the subject examination since he lacked four years, eleven months of required experience. A review of his application indicates that this determination is correct. The appellant argues that he obtained professional accounting experience as an Investment Technician, and that this is a bridge title to the Accountant title series. In this regard, titles are categorized as professional, para-professional or non-professional. *N.J.A.C.* 4A:4-2.5(a)1 states that professional titles require at least a Bachelor's or higher level degree, with or without a clause to substitute experience. Thus, since the Accountant 2 title requires completion of a Bachelor's degree with a substitution clause, which permits additional experience in lieu of the college credits, as well as relevant experience, it is considered a professional title.

The appellant's prior-held State titles do not require a Bachelor's degree and therefore are not professional titles. *N.J.A.C.* 4A:4-2.5(a)3 states that non-professional titles require less than 60 general college credits or less than 12 specific college credits, while *N.J.A.C.* 4A:4-2.5(a)2 states that para-professional

titles require at least 60 general college credits or 12 or more specific college credits (but less than a full degree). As such, the titles Investment Technician, and Technical Assistant 1 and 2 Treasury are considered to be a para-professional titles since they do require completion of 60 college credits.

When a promotion is between the above noted categories, *N.J.A.C. 4A:4-2.5(c)2* permits the examination to be open to applicants who are permanent in an approved bridge title(s) and/or applicants who meet the complete open competitive requirements. A bridge title is one that is recognized by the Civil Service Commission as related to a higher category title in terms of work performed and knowledge, skills, and abilities required. It is noted that “bridge titles” were established in order to allow individuals with experience in a given job category (e.g., clerical or paraprofessional) the opportunity to compete in promotional examinations involving a higher level job category (e.g., paraprofessional or professional). Advancement in some cases was otherwise not possible because the experience acquired in the lower category titles would not technically satisfy the requirements for eligibility in the higher category title. The Accounting Assistant title is para-professional and the bridge title to the Accountant 3 title. The appellant’s para-professional titles are not bridge titles and do not rise to the level and scope of the announced professional experience. Additionally, investment experience is not professional accounting or auditing, and Investment Technician is not a bridge title to the Accountant title series or to any other title series.

The appellant argues that he obtained professional accounting experience while working out-of-title in an Investment Technician position, and he expands on his description of duties. In this regard, the appellant’s position with the Department of the Treasury underwent a classification review in February 2014, and the Commission upheld the determination that the position was found to be properly classified as Investment Technician. *See In the Matter of Kevin Onderdonk, Department of the Treasury* (CSC, decided February 4, 2015). The appellant supplies a list of duties from a Manager 1 Human Resources (now retired), regarding a position formerly held by a different employee. However, there is no indication that this was the appellant’s position. Also, that information appears to be in reference to a classification review. This does not substantiate that the position was reclassified and indeed, the title to which the appellant was appointed was Investment Technician.

Further, the appellant has not provided a statement from the Department of the Treasury appointing authority verifying this supervisor’s statement. Regardless, even assuming he indicated on his application the required accounting or auditing experience in this position, which he did not, there is no statement from the appointing authority for the Department of Law and Public Safety indicating interest in making his appointment from the resultant eligible list.

The appellant was denied admittance to the subject examination since he lacked the minimum requirements in experience per the substitution clause for education. An independent review of all material presented indicates that the decision of Agency Services, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

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 4TH DAY OF APRIL, 2018



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