



Participation Specialist; and Assistant Program Analyst. He was credited with one year, three months in his provisional position, and found to be lacking nine months of qualifying experience.

In support of the appeal, the Director of Essex County Parks asserts that Mr. Zaitz had been administering grants for the Department since May 2004.<sup>1</sup> He states that the appellant was originally hired to administer grants for the Department, and that he was overseeing several contracts while as a Public Participation Specialist. He states that the appellant was provided with a provisional Contract Administrator 1 title to correctly classify the position. DAS had noted out-of-title work for the second position, Public Participation Specialist, but not for the third position, Assistant Program Analyst. The appellant was a Public Participation Specialist for nine and a half years.

*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 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, unless good cause is shown for an exception.

### CONCLUSION

The appellant was correctly deemed to be ineligible for the subject examination since he lacked the minimum requirements in experience based on his application. However, the Director of Essex County Parks has indicated that Mr. Zaitz performed applicable out-of-title duties for at least an additional nine months while in the title Public Participation Specialist. With the acceptance of this out-of-title work, Mr. Zaitz possesses the required experience. The examination was not competitive, with no admitted candidates, and Mr. Zaitz remains in his provisional position as a Contract Administrator 1. Thus, based on the documentation submitted and under these circumstances, good cause exists to accept Mr. Zaitz' out-of-title work experience to satisfy the requirements for the Contract Administrator 1 examination.

### ORDER

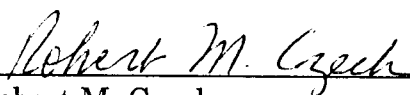
Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

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<sup>1</sup> It is noted that official records indicate that Mr. Zaitz was hired on June 20, 2005.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 5<sup>th</sup> DAY OF NOVEMBER, 2015

  
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