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## STATE OF NEW JERSEY

In the Matter of Joshua Zaitz, Contract Administrator 1 (PC0754S), Essex County

CSC Docket No. 2016-1036

## FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

**Examination Appeal** 

ISSUED: **NOV 1 0 2015** (RE)

Joshua Zaitz appeals the determination of the Division of Agency Services (DAS) which found that he did not meet the experience requirements for the promotional examination for Contract Administrator 1 (PC0754S), Essex County.

The subject examination announcement was issued with a closing date of May 21, 2015, and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date and who were serving in any competitive title and met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and two years of experience involving contract/grant work, project financing, construction management, fiscal administration, social services administration, and/or budget and management operations of a government or business entity, at least one year of which shall have involved responsibility for some aspect of contract/grant administration. Applicants who did not meet the education requirement could substitute experience on a year-for-year basis, with thirty semester hour credits equal to one year of experience. A Master's degree in Accounting, Finance, Business Administration, Public Health, Public or Hospital Administration or Social Work (with concentrations in Health Administration, or Social Policy) could be substituted for one year of experience. The appellant was found to be below the minimum requirements in experience. As he was the sole applicant, the examination was cancelled on September 18, 2005.

Mr. Zaitz indicated that he possessed a Bachelor's degree, and he listed three positions on his application: provisional Contract Administrator 1; Public

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. 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.

<sup>&</sup>lt;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

Robert M. Czech Robert M. Czech Chairperson

Civil Service Commission

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