B-10



In the Matter of Teresa Buxton, Contract Administrator 2 (PS9540P), Juvenile Justice Commission **STATE OF NEW JERSEY**

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-2926

Examination Appeal

ISSUED: MAY 21 2015 (CSM)

Teresa Buxton appeals the determination of the Division of Agency Services (Agency Services) which found that she was below the minimum requirements in experience for the promotional examination for Contract Administrator 2 (PS9540P), Juvenile Justice Commission.

The examination at issue was announced with specific requirements that had to be met as of the closing date of December 22, 2014 (see attached). The examination was cancelled on May 16, 2015 since the appellant, who was the only applicant, we found ineligible.

The appellant indicated on her application that she was provisionally serving in the title under test from August 2014 to the closing date, December 2014. From June 2003 to August 2014 she was a Senior Community Program Specialist, from October 1994 to January 2001 she was a Supervisor of Juvenile Unit, and from October 1998 to September 1994 she was an Instructor Counselor. The appellant possesses a Bachelor's degree. Agency Services credited the appellant with five months of experience based on her provisional service in the title under test, but determined that the remainder of her experience constituted out-of-title work. Therefore, the appellant would need an additional two years and seven months of the required experience to qualify for the subject examination.

On appeal, the appellant highlights her experience and provides copies of her Performance Evaluation System (PES) and Performance Assessment Review (PAR) agreements since 2010 which all indicate that one of her major duties is to coordinate contracts primarily related to mental health support services. The

appellant also provides a letter of recommendation from a previous supervisor which verifies that she was assigned the required out-of-title duties. Therefore, the appellant maintains she is qualified for the subject examination.

N.J.A.C. 4A:4-2.6(c) provides 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

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was properly credited with five months based on her provisional service in the title under test and would need an additional two years and seven months of general experience and seven months of specialized experience to qualify for the examination. Primarily performing the duties required to establish eligibility for the title under test would be considered out-of-title work for incumbents in the Senior Community Program Specialist title. However, the appellant has provided copies of her PESs and PARs which verify that the appellant performed the required out-of-title duties since 2010. Additionally, the examination was cancelled due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause exists to accept the appellant's out-of-title work experience, for eligibility purposes only, and admit her to the subject examination.

ORDER

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

20TH DAY OF MAY, 2015

Robert M. Czech

Chairperson

Civil Service Commission

Inquiries and Correspondence Henry Maurer
Director
Division of Appeals
and Regulatory Affairs
Written Record Appeals Unit
Civil Service Commission
P.O. Box 312
Trenton, NJ 08625-0312

Attachment

c. Teresa Buxton
Josephine Piccolella
Kelly Glenn
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE PROMOTIONAL ANNOUNCEMENT



\$25,00PROCESSING FEE REQUIRED Make Check/Money Order Payable to NJCSC

SYMBOL: PS9540P

TITLE: CONTRACT ADMINISTRATOR 2

ISSUE DATE: December 01, 2014 TITLE CODE: 51252/L8RXR2

DEPARTMENT: JJA/LAW & PUBLIC SAFETY

UNIT SCOPE: P380 Juvenile Justice Commission (Commission-wide)

WEIGHT CODE: *

SALARY: \$64,677.00 - \$92,012.00

CLOSING DATE: December 22, 2014

CLASS CODE: 26

ONLY ON LINE APPLICATIONS WILL BE ACCEPTED FOR THIS ANNOUNCEMENT

Open to employees in the competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):

Contract Administrator 1

Or 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. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Note: Applicants who do not possess the required education may substitute additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Three (3) years of experience in work 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 (1) year of which shall have involved responsibility for some aspect of contract/grant administration.

Note: A Master's degree from an accredited college or university in Accounting, Finance, Business Administration, Public Health, Public Administration, Hospital Administration, or Social Work (with concentrations in Health, Administration, or Social Policy) may be substituted for one (1) year of the basic experience. (There is no substitution for the one (1) year of experience involving responsibility for some aspect of contract/grant work.) You must indicate the details of your Master's degree 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.

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

DPF-256A * Revised 03/09

^{1.} NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.

2. 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- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and

part-time positions. If 35- and 40-hour positions are used within the unit scope, 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.

^{6.}SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.

^{7.} 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 regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.