

In the Matter of Kelly Kerns, Administrative Analyst 1, Procurement (PS9426I), Department of Corrections STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-2782

Examination Appeal

ISSUED: MAY 2 1 2015

(CSM)

Kelly Kerns appeals the determination of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Administrative Analyst 1, Procurement (PS9426I), Department of Corrections.

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The examination at issue was announced with specific requirements that had to be met as of the closing date of November 21, 2014 (see attached). A total of two employees applied for the subject examination which resulted in a list of one eligible with an expiration date of April 8, 2017.

The appellant indicated on her application that she was provisionally serving in the title under test from July 2014 to the closing date, November 2014. From June 2003 to July she was an Administrative Analyst 3 and from October 1996 to June 2003 she was an Administrative Analyst 2. The appellant indicated possession of an Associate's degree. Agency Services credited the appellant with two years and six months of experience based on her education and 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 five years and six months of the required experience to qualify for the subject examination.

On appeal, the appellant highlights her experience as an Administrative Analyst 2 in the Bureau of Procurement and Contract Management and states that she has more than 11 years of appropriate experience. Patricia Loreti, Director,

Office of Financial Management, verifies that the appellant has performed the required out-of-title duties in the Bureau of Procurement and Contract Management since June 2003 due to business necessity.

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 two years and six months of experience based on her education and provisional service in the title under test and in accordance with the substitution clause for education would need an additional five years and six months of 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 However, the Director, Office of Financial Administrative Analyst 2 title. Management has verified that the appellant performed the required out-of-title duties since June 2003. Additionally, the examination situation is not competitive as only one individual was admitted to the test 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 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

Attachment

c. Kelly A. Kerns
James Mulholland
Kelly Glenn
Joseph Gambino

Henry Maurer
Director
Division of Appeals
and Regulatory Affairs
Written Record Appeals Unit
Civil Service Commission
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NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE PROMOTIONAL ANNOUNCEMENT



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

SYMBOL: PS94261

TITLE: ADMINISTRATIVE ANALYST 1 PROCUREMENT

ISSUE DATE: November 01, 2014
TITLE CODE: 50076C/KXRXR9

DEPARTMENT: COA/CORRECTIONS

UNIT SCOPE: I177 Budget, Auditing and Accounting Support

WEIGHT CODE: *

SALARY: \$74,252.00 - \$105,891.00

CLOSING DATE: November 21, 2014

CLASS CODE: 29

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):

Administrative Analyst 2, Procurement

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 credit hours being equal to one (1) year of experience.

Experience: Four (4) years' experience in the procurement/purchasing process through the competitive bidding process for a large public or private organization.

Note: A Master's degree in Business Administration, Public Administration, Economics, Finance or Accounting may be substituted for one (1) year of experience. 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.

Note: This announcement may be tested via the Supervisory Test Battery, a computer-administered exam. For information regarding the Supervisory Test Battery, please refer to our website http://www.state.nj.us/csc/seekers/about/steps/step7.html.

IMPORTANT INFORMATION

- 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.
- A NIAC 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 PI.E ASE FILE EARLY.

DPF-256A * Revised 03/09