

B-52



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Elsie Vargas,
Assistant Fiscal Officer (PM1209S),
North Bergen

Examination Appeal

CSC Docket No. 2015-2904

ISSUED: JUN 22 2015 (SLK)

Elsie Vargas appeals the determination of the Division of Selection Services (Selection Services)¹ that she was below the minimum requirements in experience for the promotional examination for Assistant Fiscal Officer (PM1209S), North Bergen.

The examination at issue was announced with specific requirements that had to be met as of the September 22, 2014 closing date (see attached). Ms. Vargas was the only employee who applied for the subject examination which was cancelled due to a lack of qualified candidates.

On Ms. Vargas' application, she indicated that she provisionally served in the subject title from July 2012 to the September 22, 2014 closing date, as an Accountant from September 2006 to July 2012, as a Senior Accountant for Samuel Klein & Company from March 2005 to August 2006, and as a Staff Accountant from September 2002 to March 2005. Ms. Vargas also indicated that she possesses a Bachelor's degree with 21 credits hours in accounting. Selection Services credited her with having met the education requirements and three years and nine months of experience based on her provisional service in the subject title and her experience as a Senior Accountant, but determined that she lacked three months of experience.

On appeal, Ms. Vargas indicates that in 2013 it was determined that she was performing the duties of the subject title after the Division of Classification and

¹ This function is now part of the Division of Agency Services.

Personnel Management (CPM)² audited her position. The appellant also submits a letter from Nicholas J. Sacco, Mayor for the appointing authority, which requests that her experience with the appointing authority as an Accountant starting in 2006 as well as her experience as an Assistant Fiscal Officer be considered in determining her eligibility for the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Based on her application, Selection Services correctly determined that Ms. Vargas did not meet the required experience as of the September 22, 2014 closing date as she only had three years and six months³ of applicable experience based on her provisional service in the subject title and her experience as a Senior Accountant. Her other accounting experience did not include supervisory financial management experience. However, the appellant has gained the additional experience to satisfy the experience requirement after the closing date. Moreover, the record evidences that the examination was cancelled due to a lack of qualified candidates. Further, she continues to serve provisionally in the title under test. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept Ms. Vargas' experience after the closing date, for eligibility purposes only, and admit her to the subject examination.

ORDER

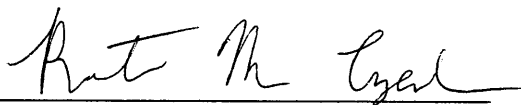
Therefore, it is ordered that the appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

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

² This function is now part of the Division of Agency Services.

³ Based on her personnel records that indicated that she began provisionally serving in the subject title in September 2012 and not July 2012 as indicated on her resume, she had three years and six months of applicable experience.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 17th DAY OF JUNE, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

c: Elsie Vargas
Nicholas Sacco
Kelly Glenn
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION
COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

SYMBOL: **PM1209S**
TITLE: **ASSISTANT FISCAL OFFICER**
ISSUE DATE: **September 01, 2014**
TITLE CODE: **00536/ IXRJR7**
JURISDICTION: **NORTH BERGEN**
DEPARTMENT: **PUBLIC AFFAIRS**

WEIGHT CODE: *
SALARY: **\$45,000.00 - \$70,000.00**
CLOSING DATE: **September 22, 2014**
JURISDICTION CODE: **N09080002**

**ONLY ON LINE APPLICATIONS
WILL BE ACCEPTED
FOR THIS ANNOUNCEMENT**

Open 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 which includes twenty-one (21) credit hours in accounting. You must indicate either possession of a degree or total number of college credits completed to date on your application. Applicants must provide proof of the specific credit requirement. You must attach a copy of your transcript. (Foreign transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Experience: Four (4) years of supervisory financial management experience involving accounting, budgeting, auditing, and financial analysis and reporting.

Note: Applicants who have satisfactorily completed twenty-one (21) semester hours of credit in professional accounting courses at an accredited college or university may substitute additional experience as indicated for the remainder of the education requirement on a year-for-year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Note: Possession of a current valid certificate as a Registered Municipal Accountant or Certified Public Accountant issued by the New Jersey State Board of Accountants or as a Certified Municipal Finance Officer issued by the New Jersey Department of Community Affairs, Division of Local Government Services may be substituted for the above educational requirement. If you have the required certificate, you must indicate this on your application; proof of the certificate must be submitted with your application. Failure to do so will result in rejection from the examination process.

Note: Graduation from an accredited college or university with a Master's degree in Accounting, Finance, Public Administration, or Business Administration may be substituted for one (1) year of the indicated 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: All requirements must be met as of the above closing date, however applications will be accepted up to and including **October 21, 2014**.

SPECIAL NOTE: IF YOU FILED AN APPLICATION FOR THIS ANNOUNCEMENT DURING THE ORIGINAL POSTING PERIOD YOU DO NOT HAVE TO FILE AGAIN.

**Amended 9/16/14
2nd Amendment 10/1/14**

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
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-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, 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.** (i.e. Police, Fire, Corrections and Sheriff).
6. 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 of regular business hours on the closing date will not change the application filing deadline, so **PLEASE FILE EARLY.**

DPF-256A * Revised 03/09