

## STATE OF NEW JERSEY

In the Matter of Audrey Lett, Supervisor of Accounts (PM2469T), Elizabeth

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-3414

**Examination Appeal** 

NOV 1 0 2016

(WR)

**ISSUED:** 

Audrey Lett 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 Supervisor of Accounts (PM2469T), Elizabeth.

The subject examination was announced with a closing date of October 21, 2015 and was open to applicants who possessed five years of experience involving the operation and maintenance of a system of accounts. It is noted that the examination was cancelled, as the appellant, who was the only applicant, was found ineligible.

On her application, the appellant indicated, in relevant part, that she has worked in the subject title from August 2014 through the closing date; and as a Keyboarding Clerk 3 from March 2008 to August 2014. Agency Services credited the appellant with one year and four months for her provisional experience in the subject position. Regarding her other experience, however, it determined that while the duties she performed were relevant, they constituted out-of-title work. As a result, Agency Services determined that she lacked three years and eight months of experience and therefore, did not meet the announced requirements.

On appeal, the appellant asserts that the duties she performed in the subject title and as a Keyboarding Clerk 3 satisfy the aforementioned requirement. Specifically, she asserts that since March 2008, 75 percent of her duties have entailed responsibility for the operating and managing budgets and expenditures for various grants and programs. In support, she submits a letter from her supervisor, Krishna Garlic, Director of Health and Human Services, who states that

the appellant has been performing relevant duties since July 2007. In particular, he states that the appellant spends 75 percent of her day preparing budgets and operating expenses for various offices within Elizabeth's Health and Human Services Department and "monitors the draw down from each account and collects and verifies documentation for expenditures." The appellant also submits a letter from the appointing authority, which states that it supports her appeal.

## 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. N.J.A.C. 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy eligibility requirements or for credit in the examination process.

Initially, Agency Services determined that the appellant lacked three years and eight months of the aforementioned experience needed for the subject examination. However, the appellant indicated on appeal that she has performed relevant duties from March 2008 through the closing date. supervisor's verification that the appellant performed the appropriate duties as of the closing date for the subject promotional examination, the appellant possessed, per the substitution clause, more than the required five years of applicable experience. However, all but one year and four months of her relevant experience constitutes out-of-title work. In this case, the appellant submits a letter from her supervisor and the appointing authority which, in relevant part, provides a detailed description of the applicable out-of-title experience she has gained in the title of Keyboarding Clerk 3. Moreover, this is not a competitive situation, and the appellant continues to serve provisionally in the subject title. Accordingly, good cause exists to accept the appellant's out-of-title work experience and admit her to the examination.

## ORDER

Therefore, it is ordered that this appeal be granted and Audrey Lett'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 10<sup>th</sup> DAY OF NOVEMBER, 2016

Robert M. Czech Chairperson

Civil Service Commission

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