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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Daniel Said,
Administrative Analyst 3, Fiscal
Management (PS2953H),
Department of Health

Examination Appeal

CSC Docket No. 2017-1018

ISSUED: **JAN 20 2017** (SLK)

Daniel Said appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Administrative Analyst 3, Fiscal Management (PS2953H), Department of Health.

The examination at issue was announced with specific requirements that had to be met as of the June 21, 2016 closing date (see attached). The appellant was the only employee who applied for the subject examination and was deemed ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

On his application, Mr. Said indicated that he was provisionally serving in the subject title from January 2016 to the June 21, 2016 closing date, a Standards and Procedures Technician from November 2014 to January 2016, a Paralegal Technician 2 from August 2012 to November 2014, an Attorney Consultant/Business Analyst for Lazard from October 2010 to September 2012, a Law Clerk for the State Attorney General's Office from April 2009 to July 2010, and an Accounts Payable for The Hudson Group from August 2005 to July 2006. He also indicated that he had a Bachelor's degree in Finance and Economics and a Law degree. Agency Services credited him with having met the education requirement and six months of experience based on his provisional service in the subject title, but determined that he lacked two years and six months of experience.

On appeal, Mr. Said states that as a Standards and Procedures Technician 2 for 13 months, he recommended the formulation and revisions of policies, regulations, procedures, and strategies. He presents that he evaluated management operations to create policies, was in charge of budgeting certain expenditures, and the department relied heavily on him for his fiscal analysis and policy evaluation. He indicates that as a Business Analyst for Lazard for 23 months, his main duties were advising on corporate policies, preparing fiscal analysis reports, evaluating and summarizing information and trends, and providing senior management with his findings. He also assessed various companies' financial health and documented the results in spreadsheets and pivot tables for senior management. Further, for The Hudson Group for 11 months, he states that he prepared financial documents and analyzed business operations, forecasted trends, and developed, maintained, and analyzed budgets. Additionally, he highlights certain fiscal analysis and evaluation duties he performed as a Law Clerk for the State Attorney General's Office for lawsuits that involved mortgage backed securitization documents.

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:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. *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.

Initially, Agency Services correctly determined that the appellant did not meet the required experience as he did not clearly indicate on his application, outside of his provisional service in the subject title, that he performed the required duties in his varied positions. However, the appellant explains on appeal that as a Business Analyst for 23 months, he performed fiscal analysis in order to evaluate management operations. Additionally, the appellant highlights while working for The Hudson Group for 11 months, he prepared financial reports, analyzed business operations, forecasted trends, and developed, maintained, and analyzed budgets. Further, he performed certain financial analysis and evaluation duties as a Standard and Procedures Technician 2 and Law Clerk. Moreover, the appellant is performing the required duties while serving provisionally in the subject title and he possesses a Bachelor's degree in Finance and Economics. Therefore, although the appellant's work experiences do not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the totality of Mr. Said's work involving fiscal analysis and evaluation, budgeting and management operations since August 2005, including his provisional experience gained after the closing date, warrant his admission to the subject examination. Further, the examination has been cancelled due to a lack of qualified applicants. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.*

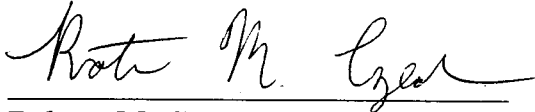
4A:4-2.6(a) and accept the totality of Mr. Said's experience and education, including his experience after the closing date, and admit him to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted and Daniel Said'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 18th DAY OF JANUARY, 2017



Robert M. Czech
Chairperson
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and
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Attachment

c: Daniel Said
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Records Center

