

B-34



STATE OF NEW JERSEY

In the Matter of Gregory Williams,
Administrative Analyst 3, Fiscal
Management (PS1873H),
Department of Health

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-3791

Examination Appeal

ISSUED: JAN 20 2017, (JET)

Gregory Williams appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Administrative Analyst 3, Fiscal Management (PS1873H), Department of Health.

The promotional examination was announced with specific requirements which had to be satisfied by the December 21, 2015 closing date (see attached). The examination was cancelled on April 30, 2016 as the appellant, the only applicant, was found ineligible for the examination.

The appellant listed on the employment application that he possessed a Bachelor's degree supplemented by 21 semester hour credits in one of the specified areas of education. Agency Services credited him for his education. Further, the appellant indicated that he served as a provisional Administrative Analyst 3, Fiscal Management, from April 2015 to the December 21, 2015 closing date, as an Accountant 2 from January 2008 to April 2015, as an Accountant 3 from September 2003 to December 2007, and as a Financial Strategy Manager from January 2006 to July 2006. Agency Services credited the appellant with one year of experience based on his provisional service in the title under test and as a Financial Strategy Manager, but determined that the remainder of his experience was not applicable. Accordingly, Agency Services determined that the appellant lacked two years of applicable experience.

On appeal, the appellant asserts, among other things, that he possesses over 13 years of applicable experience. The appellant details his provisional experience in the title under test and clarifies his experience as an Accountant 2 and an Accountant 3 performing fiscal analysis and evaluation and budgeting and management operations. In support, the appellant submits a letter from Ann Marie Kopczynski, Manager, Human Resources, Department of Health. Ms. Kopczynski confirms that, as a result of a hiring freeze, the appellant has been performing the duties of an Administrative Analyst 3, Fiscal Management, since January 2008. She adds that it was necessary to assign such duties to avoid disruptions of the appointing authority's business operations.

Official personnel records indicate that the appellant continues to serve as a provisional Administrative Analyst 3, Fiscal Management.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 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 the requirements for admittance to the examination or for credit in the examination process.

Under *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. However, *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. See *In the Matter of Diana Begley* (MSB, decided November 17, 2004).

In this matter, the appellant provides clarifying information regarding the duties he performed. However, primarily performing the required duties to establish eligibility for the subject examination would be considered out-of-title work for incumbents in the Accountant 2 title. Regardless, Ms. Kopczynski has verified that the appellant performed the applicable out-of-title duties since 2008 due to business necessity. Additionally, the subject 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

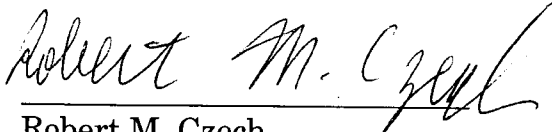
appellant's clarification of his experience on appeal and his out-of-title work experience for eligibility purposes only, and admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination 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 18th DAY OF JANUARY, 2017



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Nicholas F. Angiulo
Assistant Director
Division of Appeals
& Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
PO Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Gregory Willaims
Loreta Sepulveda
Kelly Glenn

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT



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

SYMBOL: PS1873H	WEIGHT CODE: *
TITLE: ADMINISTRATIVE ANALYST 3 FISCAL MANAGEMENT	SALARY: \$64,677.00 - \$92,012.00
ISSUE DATE: December 01, 2015	CLOSING DATE: December 21, 2015
TITLE CODE: 50075H/XXRXR7	CLASS CODE: 26
DEPARTMENT: HLA/HEALTH	
UNIT SCOPE: H970 Health Infrastructure Preparedness and Emergency Response (HIPER)	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

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 Fiscal Management

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 including or supplemented by twenty-one (21) credit hours in any combination of Accounting, Business Administration, Economics or Finance courses. Applicants must provide proof of the supplemental credit requirement. This is to be done by attaching a transcript to 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.

Experience: Three (3) years of experience in work involving fiscal analysis and evaluation, budgeting and management operations in government, business and/or a management consulting firm.

Applicants who do not possess the Bachelor's degree but who do possess the twenty-one (21) credit hours listed above, may substitute the remaining education with experience as indicated above on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Note: A Master's degree from an accredited college or university in one of the areas listed above may be substituted for one (1) year of experience; a Doctorate in one of the above areas may be substituted for two years (2) of experience. You must indicate the details of your Master's and/or Doctorate 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

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. ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. 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.

DPF-256A * Revised 03/09