



STATE OF NEW JERSEY

In the Matter of Zulma Soto,
Program Coordinator Aging/
Disabilities, Brick Township

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-2658

Administrative Appeal

ISSUED: MAY 19 2017 (JET)

The Division of Agency Services (Agency Services), on behalf of Brick Township, requests that Zulma Soto's out-of-title work experience be accepted to qualify her for a prospective promotional examination for Program Coordinator Aging/Disabilities, Brick Township.

By way of background, Soto is currently serving as a Clerk 3, and her experience was reviewed by the Agency Services as part of a pre-appointment evaluation to determine if she possessed the necessary qualifications for the subject title. It is noted that the requirements for Program Coordinator Aging/Disabilities are graduation from an accredited college or university with a Bachelor's degree, and three years of experience in working involving counseling or assisting senior citizens or persons with disabilities with matters involving their welfare.

In response to the pre-employment evaluation, Agency Services determined that Soto possessed a Bachelor's degree and 13 years of out-of-title work experience in the subject title. However, this experience could not be credited for eligibility purposes for Program Coordinator Aging/Disabilities since it constituted out-of-title work.

In the instant matter, Joanne Bergin, Business Administrator, Brick Township and Agency Services confirm that, since 2000 as a result of the operational needs of the appointing authority, Soto has been performing applicable duties of a Program Coordinator Aging/Disabilities on an out-of-title basis, including coordinating senior programs, giving presentations, budget planning,

acting as liaison with community groups, and creating new programs. Moreover, Agency Services indicates that Brick Township has no existing open-competitive, promotional or special re-employment lists available for the Program Coordinator Aging/Disabilities title.

CONCLUSION

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.

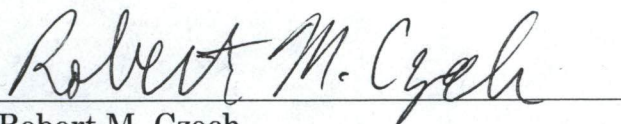
In the present matter, Brick Township and Agency Services verify that Soto has been performing relevant duties of the subject title for more than three years. The appointing authority's Business Administrator verifies that Soto performed the out-of-title work as a Program Coordinator Aging/Disabilities due to the operational needs of the appointing authority. As such, the appointing authority requests approval of this request. Therefore, in order to properly classify the position, good cause exists to accept Soto's out-of-title work experience in order to qualify her for a prospective promotional examination for Program Coordinator Aging/Disabilities, Brick Township.

ORDER

Therefore, it is ordered that this request be granted and Zulma Soto's applicable out-of-title experience be accepted for a prospective promotional examination for Program Coordinator Aging/Disabilities, Brick Township. Additionally, it is ordered that the promotional examination be announced in the appropriate unit scope in accordance with this decision. Zulma Soto is to provide a copy of this decision with her promotional application upon announcement of the examination. Finally, Agency Services should accept all documented and verified out-of-title work from other applicants who may apply to this specific prospective promotional examination 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 17th DAY OF MAY, 2017



Robert M. Czech
Chairperson
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