

B-6



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE  
ACTION OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Sonia Fernandez,  
Personnel Officer (PM1673U),  
North Brunswick

CSC Docket No. 2017-1675

Examination Appeal

ISSUED: MAY 03 2017 (RE)

Sonia Fernandez appeals the determination of the Division of Agency Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Personnel Officer (PM1673U), North Brunswick.

The subject examination announcement was issued with specific requirements which had to be met as of the August 22, 2016 closing date (see attached). As she was the sole applicant, the examination was cancelled on November 26, 2016.

Ms. Fernandez indicated that she possessed no college credits, and as such, she was required to possess seven years of applicable experience. She listed six positions on her application and resume: provisional Personnel Officer; Payroll Supervisor/Clerk 1; Human Resources Generalist/Manager Employee Benefits with Cablevision; and Benefits Administrator with Ikea; Employee Benefits Administrator with Quick Check Corporation; Benefits Counselor with Bullock Associates; and Employee Benefits Manager with Petry Television Incorporated. She was credited with six months in her provisional position, and she was found to be lacking six years, six months of qualifying experience.

On appeal Ms. Fernandez indicates that she had attached to her application a letter from the appointing authority verifying out-of-title duties as a Personnel Officer while in the title Payroll Supervisor/Clerk 1, from 2003 forward. She also provides some of the duties of her positions and argues that she possesses

the required experience. In additional support of this appeal, the appointing authority states that Ms. Fernandez has been working out of title as a Personnel Officer and it promoted her when it was fiscally possible.

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. N.J.A.C. 4A:4-2.6(c) provides in pertinent part 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.

### CONCLUSION

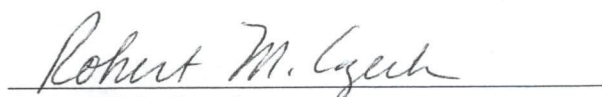
The appellant was correctly deemed to be ineligible for the subject examination since she lacked minimum requirements in experience. However, the appointing authority has indicated that Ms. Fernandez performed out-of-title duties for at least an additional six years, six months while in the title Payroll Supervisor/Clerk 1. With the acceptance of this out-of-title work, Ms. Fernandez possesses the required experience. The examination was not competitive with no admitted candidates, and Ms. Fernandez remains in her provisional position as a Personnel Officer. Thus, based on the documentation submitted and under these circumstances, good cause exists to accept Ms. Fernandez' out-of-title work experience to satisfy the requirements for the Personnel Officer examination.

### ORDER

Therefore, it is ordered that this 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.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 3<sup>rd</sup> DAY OF MAY, 2017



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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: Sonia Fernandez  
Kathryn Monzo  
Kelly Glenn  
Records Center



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



[Click here to file Online](#) Print  
**\$25.00 PROCESSING FEE REQUIRED**  
Make Check/Money Order Payable to NJCSC

SYMBOL: PM1673U

TITLE: PERSONNEL OFFICER

ISSUE DATE: August 01, 2016

TITLE CODE: 02653@/ HLRMR5

JURISDICTION: NORTH BRUNSWICK

DEPARTMENT: ADMINISTRATION

WEIGHT CODE: \*

SALARY: \$59,600.00 - \$60,800.00

CLOSING DATE: August 22, 2016

JURISDICTION CODE: T12150008

Visit [www.state.nj.us/csc](http://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 have an aggregate of one year of continuous permanent service as of the closing date and are currently serving in the following title(s):

Assistant Personnel Officer 04831

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. You must indicate either possession of a degree or total number of college credits completed to date 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.

Applicants who do not possess the required education may substitute additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Three (3) years of supervisory personnel experience including the review of classification problems and wage studies, handling personnel problems, and coordination of the training needs of the jurisdiction.

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 must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.

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-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](mailto: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