



STATE OF NEW JERSEY

In the Matter of Mara Brea,
Senior Budget Examiner (PM2531V),
East Orange

CSC Docket No. 2018-2969

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

Examination Appeal

ISSUED: July 23, 2018 (RE)

Mara Brea appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements for the promotional examination for Senior Budget Examiner (PM2531V), East Orange.

The subject examination announcement was issued with a November 21, 2017 closing date, and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Budget Examiner OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any title and who met the announced requirements. These requirements included possession of a Bachelor's degree from an accredited college or university, and two years of experience in the evaluation and analysis of budgetary requests or in the preparation and presentation of budgets. Applicants who did not possess the required education could substitute additional experience on a year for year basis with 30 semester credit hours being equal to one year of experience. Graduation from an accredited college or university with a Master's degree in Public Administration, Finance, Accounting, Business Administration, Government, Political Science, Economics, Industrial Engineering, or Industrial Management could be substituted for one year of the required experience. The appellant was found to be ineligible based on a lack of applicable experience. She was the only applicant, and the examination was cancelled on April 16, 2018.

The appellant indicated on her application that she possessed a Bachelor's degree and she listed two positions, provisional Senior Budget Examiner from October 2003 to November 2017, and Supervisor of Accounts from June 2010 to December 2016. These are overlapping full-time positions, and the appellant had not held the title Supervisor of Accounts. She also provided a resume which indicated that she was a Senior Budget Examiner from January 2017 to the November 2017 closing date; Supervisor of Accounts Clerk from March 2009 to December 2016; Accounting Assistant from October 2008 to March 2009; Program Specialist from July 2005 to October 2008; and Program Monitor from October 2003 to July 2005. The official records match the positions on the resume. She was credited with eleven months of applicable experience in her provisional position and was found to be lacking one year, one month of applicable experience.

On appeal, the appellant argues that she meets the minimum requirements for the position as she has been working out-of-title since 2014, and she provides some of the duties she performed. Further, the appointing authority verifies the appellant's out-of-title work experience in budget preparation since April 2014 and requests that it be accepted.

CONCLUSION

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)1 provides that except when permitted by the Chairperson or designee 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.

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was properly credited with eleven months of experience based on her provisional service in the title under test and would need an additional one year and one month of experience to qualify for the examination. Primarily performing the required duties in the career service positions she listed on her application would be considered out-of-title work. However, the appointing authority has verified that the appellant has experience in the preparation and presentation of budgets for at least an additional one year, one month. Additionally, the subject examination was cancelled, and the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause exists to accept the out-of-title work experience and admit her to the subject examination. However, this decision is based on the limited facts of this situation and shall not be used as precedent in any other proceeding.

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 18th DAY OF JULY, 2018



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