

STATE OF NEW JERSEY

In the Matter of Jose Munoz, Manager Animal Control Facility (PM0106W), Trenton

CSC Docket No. 2019-89

FINAL ADMINISTRATIVE
ACTION OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED: Mar

March 6, 2019

(RE)

Jose Munoz appeals the determination of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Manager Animal Control Facility (PM0106W), Trenton.

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The subject examination announcement was issued with a closing date of January 22, 2018. The examination was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date and who were serving in the title Assistant Manager Animal Control Facility, 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 competitive title and who met the open competitive requirements. These requirements included a current and valid certificate as an Animal Control Officer issued by the New Jersey Department of Health, and five years of experience in the care, handling, and feeding of animals in an animal control program, animal hospital, animal shelter or pound, pet shop or with an animal breeder, two of which shall have been in a supervisory capacity. The appellant was found to be below the minimum requirements in experience. As no candidates were admitted, the examination was canceled on July 4, 2018.

The appellant listed four positions on his application, provisional Manager Animal Control Facility, Acting Manager, Senior Animal Control Officer, and Animal Control Officer. He was credited with five months of supervisory experience in his provisional position and more than ten years of general experience, and was found to be lacking one year, seven months of supervisory experience.

On appeal, the appellant states that he has been supervising for the last eight years. In support of the appeal, the appointing authority has indicated that the appellant worked in the capacity of Animal Control Manager from June 2017 to July 2017 and from January 2009 to January 2010, when he was in the titles Animal Control Officer and Assistant Animal Control Officer.

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) provides that except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

Initially, the appellant was correctly deemed to be ineligible for the subject examination since he lacked the minimum requirements in supervisory experience. Nonetheless, the appointing authority has indicated that the appellant performed out-of-title supervisory duties for at least an additional one year, seven months while in the titles Animal Control Officer and Assistant Animal Control Officer. With the acceptance of this out-of-title work, the appellant possesses the required two years of supervisory experience. The examination was cancelled, and based on the documentation submitted and under these circumstances, good cause exists to accept the appellant's out-of-title work experience to satisfy the requirements for Manager Animal Control Facility 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 6th DAY OF MARCH, 2019

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Chairperson

Civil Service Commission

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