



STATE OF NEW JERSEY

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

In the Matter of Annemarie Ricco,
Operations and Training Officer
Emergency Management (PC2597W),
Cape May County

Examination Appeal

CSC Docket No. 2019-3250

ISSUED: July 31, 2019 (RE)

Annemarie Ricco appeals the decision of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Operations and Training Officer Emergency Management (PC2597W), Cape May County.

The subject promotional examination had a closing date of October 22, 2018 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 any title, and who met the announced requirements of possession of a Bachelor's degree, and two years of professional experience in varied phases of business, industrial, governmental, or military service which shall also have included the determination of training needs, the development of appropriate training plans and materials, and the conduct of orientation, in-service, refresher and other types of training courses. Applicants who did not possess the required education could substitute additional experience as indicated above on a year for year basis with thirty semester hour credits being equal to one year of experience. The appellant was found to be below the minimum requirements in experience per the substitution clause for education. The examination was canceled on May 10, 2019 since there were no eligible applicants.

On her application, the appellant indicated that she possessed no college credits. As such, she was required to possess six years of applicable experience. She listed five positions; provisional Operations and Training Officer Emergency Management, Chief Public Safety Telecommunicator, Supervising Public Safety

Telecommunicator, Senior Public Safety Telecommunicator, and Public Safety Telecommunicator. Her two years of experience as a provisional in the subject title was accepted, and per the substitution clause for education, she was found to be lacking four years of applicable experience.

On appeal, the appellant argues that she has been a provisional in the subject title for two years and six months, and she provides some of the duties that she has performed in the past year, as well as the results of her training efforts. She provides a copy of Cape May County policy regarding the duties and responsibilities of the Operations Manager, and states that she performs those duties.

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:1-1.2(c) provides that the Civil Service Commission may relax the rules for good cause in a particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Agency Services correctly determined that the appellant was not eligible for the subject examination. Qualifying experience has the announced experience as the primary focus. The amount of time, and the importance of the duty, determines if it is the primary focus. An experience requirement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they primarily performed all of those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience. *See In the Matter of Jeffrey Davis* (MSB, decided March 14, 2007).

While Agency Services did not credit experience as a Chief Public Safety Telecommunicator, a review of the job specification for that title reveals that incumbents are required to assign tasks to provide new employees with the experience and training required to perform the work, formulate training plans for assigned employees, conduct informal training to broaden employee skills and to provide backup skills by cross-training, and officially recommend employees for formal training courses when necessary. These duties include the determination of training needs, and the conduct of orientation, in-service, refresher and other types of training courses. However, they do not include the development of appropriate training plans and materials. Nevertheless, the appellant indicates that she assisted in creating a Fire Communications class, as well as other projects. As such, this experience should be accepted. The appellant had three years, nine months in this title, for a total of five years, nine months of experience. The appellant's positions on her application of Supervising Public Telecommunicator, Senior Public Safety Telecommunicator, and Public Safety Telecommunicator did not have the announced

experience as the primary focus. Nevertheless, the appellant has accrued at least an additional three months in her provisional position, and the examination had been cancelled. As such, good cause exists to relax the provisions of *N.J.A.C. 4A:4-2.6(a)*, and accept the appellant's experience after the closing date and admit her to the 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 31st DAY OF JULY, 2019



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