



STATE OF NEW JERSEY

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

In the Matter of Nicole Boyce-
Navarro, Administrative Analyst 3,
Procurement (PS6724H), Department
of Health

Examination Appeal

CSC Docket No. 2019-511

ISSUED: JULY 31, 2019 (ABR)

Nicole Boyce-Navarro appeals the determination of the Division of Agency Services (Agency Services), which found that she did not meet the experience requirement for the promotional examination for Administrative Analyst 3, Procurement (PS6724H), Department of Health.

The subject examination announcement was issued with a closing date of January 22, 2018. The examination was open, in part, to applicants who possessed a Bachelor’s degree and three years of experience in the procurement/purchasing process through the competitive bidding process for a large public or private organization. Applicants could substitute possession of a Master’s degree in Business Administration, Public Administration, Economics, Finance or Accounting may be for one year of the required experience. The subject examination was cancelled on August 25, 2018, as the appellant was the only applicant and she was deemed ineligible.

On her application, the appellant indicated that she possessed a Master’s degree in Public Administration. Therefore, pursuant to the substitution clause, she needed to possess two years of the required experience. With regard to her experience, the appellant stated that she served as a provisional Administrative Analyst 3, Procurement from August 2017 to the closing date of the subject examination (January 2018); as a Principal Fiscal Analyst from June 2012 to August 2017; as a Technical Assistant 3 from May 2011 to June 2012; and as a Senior Clerk Typist from April 2005 to May 2011. Agency Services credited the appellant with six months of applicable experience based upon her provisional

service in the subject title. However, Agency Services determined that her remaining experience was not applicable because there was no indication that the primary focus of her duties in these titles was the required experience in the procurement/purchasing process through the competitive bidding process. As a result, she was deemed ineligible for the subject examination.

On appeal, the appellant asserts, in relevant part, that her primary duties as a Clerk Typist and as a Senior Clerk Typist were processing purchase orders and processing sealed bid request, which included review and processing procurement requests, processing payment vouchers, and responding to inquiries from vendors and employees using various systems. Additionally, she states that she was reclassified to the title of Technical Assistant 3 after a classification review found that her primary job responsibilities included receiving procurement requests from community facilities/programs for supplies, equipment and vended services; reviewing, checking and verifying procurement requests for compliance and in accordance with the Juvenile Justice Commission procedures and Department of the Treasury regulations; and processing vouchers and entering data onto the Treasury MACSE data system for payment. The appellant also provides letters of support from Michelle McNellis, Chief Financial Officer, Fiscal & Administrative Unit Chief with the State Parole Board; Sal Marcello, Administrative Analyst 4, Fiscal Management with the Division of State Police; and her supervisor, Dave Meckel, Administrative Analyst 4, Procurement.

Agency records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides that applicants must meet all requirements specified in a promotional examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation.

Initially, it is noted that Agency Services correctly credited the appellant with six months of applicable experience based upon her provisional service in the title of Administrative Analyst 3. There is no indication in the record that the appellant's work in any other position constitutes applicable experience for the subject examination. However, a review of the record shows that the appellant continues to serve provisionally in the subject title, thereby providing her with an additional one year and six of applicable experience for the subject examination. Additionally, the record indicates that the examination situation is not competitive, since the subject examination was cancelled. In this regard, *N.J.A.C.* 4A:1-1.2(c) provides that the Commission may relax a rule for good cause in a particular situation. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a)2 and

accept the appellant's provisional experience after the closing date, for eligibility purposes only, and admit her to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be processed for prospective employment opportunities 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 31ST DAY OF JULY, 2019



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