



STATE OF NEW JERSEY

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

In the Matter of Patricia Ingelido,
 Manager 3 Environmental
 Protection, Technical/Scientific/
 Engineering (PS9309G),
 Department of Environmental
 Protection

Examination Appeal

CSC Docket No. 2020-1364

ISSUED: January 16, 2020 (RE)

Patricia Ingelido appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Manager 3 Environmental Protection, Technical/Scientific/Engineering (PS9309G), Department of Environmental Protection.

The subject examination announcement was issued with a closing date of March 21, 2019. 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 Manager 4 Environmental Protection Technical/Scientific/Engineering 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 possession of a Bachelor's degree in one of the biological, chemical, environmental, or physical sciences or engineering from an accredited college or university, and six years of experience in the scientific/technical or engineering aspects of environmentally related activities, four years of which shall have been in program management. A Master's degree in one of the areas listed above could be substituted for one year of experience; and a Doctorate in one of the areas listed above could be substituted for two years of experience. Possession of a valid license as a Professional Engineer issued by the New Jersey State Board of Professional Engineer's and Land Surveyors may be substituted for the Bachelor's degree and/or specified credits in Engineering. The appellant was found to be below

the minimum experience requirements. One candidate appears on the eligible list, which has not been certified.

It is noted that the appellant possesses the required Bachelor's degree. However, her Master's degree in Environmental Policy was not in a required field. Environmental Policy emphasizes law, development, and policy issues rather than scientific studies. As such, she was required to possess six years of applicable experience, including four in program management. On her application and resume, the appellant listed experience in the following three positions: provisional Manager 3 Environmental Protection, Technical/Scientific/Engineering; Environmental Specialist 4, Environmental Specialist 3; Senior Environmental Specialist; Environmental Specialist; and Environmental Specialist Trainee. She also listed an internship. She was credited with over six years of general of experience in the first three positions, and five months of program management experience in the first position. As such, she was found to be lacking three years, seven months of program management experience.

On appeal, the appellant states that she has over 4 years of program management experience including the preparation of budgets, 10 years of supervisory experience, 16 years of project management experience and technical document writing and review. She states that in 2011-2013, she was the program manager for the Barnegat Bay Water Quality Monitoring Program. Oversight of this program included developing the workplan and the subsequent Quality Assurance Project Plans (QAPP), coordinating internally with several Bureaus and Divisions, coordination with over ten outside partner agencies, quality assurance oversight, and evaluation of results including recommendations on policy. In this capacity, the appellant states that she regularly engaged in advising the Division Director and Assistant Commissioner on current status and recommended next steps.

She then transferred to the Bureau of Environmental Analysis, Restoration and Standards (BEARS). This Bureau has four units, Environmental Stewardship, Analysis, Restoration and Standards. Beginning in June of 2015, she was the "Team Lead" for the Stewardship Unit in the Division of Water Monitoring and Standards, and was responsible for the management of several Statewide programs, Community Water Monitoring Program, Urban Fishing Program, Project WET, New Jersey Water Champions, and New Jersey AmeriCorps Watershed Ambassadors Program. For these programs, she oversaw the development of program workplans, prepared program budgets, implemented program contracts, and ensured program objectives aligned with the Division's and Department's priorities. For the Watershed Ambassadors Program, she supervised staff, developed program goals, objectives, and performance measures for each grant cycle, completed the grant applications and ensured completion of quarterly progress reports, developed and managed the program budget, completed required

fiscal and financial reporting; and coordinated with the granting agency. As an Environmental Specialist 4, the appellant had the same responsibilities.

In support, the appointing authority confirms out-of-title program management work. It indicates that the appellant managed the Stewardship Unit in 2015, which involved the management of staff as well as programs. The appellant's prior supervisor also confirms that the appellant performed out of title work as "Team Lead" managing multiple programs in the Stewardship Unit and was responsible for the above programs. She oversaw the development of program work plans, prepared program budgets, and ensured program objectives aligned with the Division and Department priorities.

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. *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, the appellant was correctly deemed to be ineligible for the subject examination since she lacked the minimum requirements in experience, specifically, four years of program management. However, the appointing authority has indicated that the appellant performed out-of-title duties in program management for at least an additional three years, five months while in the titles Environmental Specialist 3 and 4. These duties included developing program goals and objectives, budgeting, and management operations. The appellant accrued five months of program management experience in her provisional position prior to the closing date, and she remains in her provisional position. The examination was not competitive, and based on the documentation submitted and under these circumstances, good cause exists to accept the appellant's out-of-title work experience, and to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) to accept the appellant's additional experience beyond the closing date, and admit her to the examination for prospective appointment consideration.

ORDER

Therefore, it is ordered that this appeal be granted, 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 15th DAY OF JANUARY, 2020



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