



STATE OF NEW JERSEY

In the Matter of Reallocation of	:	
Claims Adjudicator Trainee,	:	FINAL ADMINISTRATIVE ACTION
Disability Determinations and	:	OF THE
Claims Adjudicator Trainee,	:	CIVIL SERVICE COMMISSION
Disability Determinations Bilingual	:	
in Spanish and English from the	:	
Competitive Division to the Non-	:	
Competitive Division of the Career	:	Request for Title Reallocation
Service	:	
	:	
CSC Docket No. 2021-831	:	

ISSUED: FEBRUARY 23, 2021
(ABR)

The Division of Agency Services (Agency Services) recommends the reallocation of the titles of Claims Adjudicator Trainee, Disability Determinations and Claims Adjudicator Trainee, Disability Determinations Bilingual in Spanish and English to the noncompetitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*.

By way of background, the instant request originated with the Department of Labor and Workforce Development (LWD). In support of LWD’s request, Agency Services explains that competitive testing is not practicable due to the knowledge, skills and abilities associated with these positions. In this regard, it notes that the subject titles are trainee titles which require only a Bachelor’s degree. Further, it observes that the titles do not have an experience requirement and that the skills required to perform these positions are gained through on-the-job training.

Any existing eligibility lists for these titles and any current announcements for which examinations have not been administered will be cancelled upon completion of the reallocation process. Nevertheless, State appointing authorities may recruit and appoint from the cancelled lists. However, resulting appointments will be recorded as regular appointments in the non-competitive division (RAN). Appointment types for existing employees in these titles as of the effective date will be handled in accordance with *N.J.A.C. 4A:3-1.2(f)*:

1. Permanent employees in those titles as of the effective date shall retain their permanent status in the noncompetitive division.

2. Probationary employees in those titles as of the effective date shall continue serving their working test periods and, upon successful completion, attain permanent status in the noncompetitive division.
3. Provisional employees who remain in those titles as of the effective date shall receive regular appointments and begin serving their working test periods on the effective date.

Agency Services advises that the appropriate negotiations representative has been notified of the proposal. Agency Services indicates that it did not receive any feedback based upon the foregoing notification. Finally, Agency Services requests that the changes specified in this title reallocation become effective at the beginning of the first pay period following the Civil Service Commission's (Commission) approval of these actions.

It is noted that because the title of Claims Adjudicator Trainee, Disability Determinations Bilingual in Spanish and English is a bilingual variant, candidates for that title would still be subject to language skills testing via the Bilingual Communication Abilities Test (BICAT), this agency's current language skills examination. It is further noted that on October 13, 2020, LWD received a certification (OS200284) of 45 names from the S0459A eligible list for the Claims Adjudicator Trainee, Disability Determinations title and that on November 5, 2020, it received a certification (OS200314) of 15 names from the S0460A eligible list for the Claims Adjudicator Trainee, Disability Determinations Bilingual in Spanish and English title. The certifications had disposition due dates of January 13, 2021 and January 29, 2021 and have not yet been disposed of.¹

CONCLUSION

N.J.A.C. 4A:3-1.2 provides, in part, that the Commission may reallocate titles from the competitive to the non-competitive division when competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job or when certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions.

Based upon the foregoing, ample reasons exist for the reallocation of the proposed titles to the non-competitive division of the career service. In this regard, the only education required for these titles is the possession of a Bachelor's degree. Furthermore, these titles do not have a specific experience requirement. Moreover, the bilingual skills of candidates for the title of Claims Adjudicator Trainee, Disability Determinations Bilingual in Spanish and English will be assessed by use of the BICAT, which is a pass-fail examination. Therefore, competitive testing is not practicable for these titles. However, because there are outstanding certifications for

¹ It is further noted that the S0459A and S0460A lists expired on November 6, 2020.

the subject titles, it is not appropriate for such action to take effect until these the disposition of each certification is recorded.

ORDER

Based on all of the above, it is ordered that the titles of Claims Adjudicator Trainee, Disability Determinations and Claims Adjudicator Trainee, Disability Determinations Bilingual in Spanish and English be reallocated to the non-competitive division. It is further ordered that such action be effective at the beginning of the first pay period following the recording of the disposition of both the October 13, 2020 certification (OS200284) from the S0459A eligible list and the November 5, 2020 (OS200314) from the S0460A eligible list.

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 17TH DAY OF FEBRUARY, 2021

Deirdre' L. Webster Cobb

Deirdre L. Webster Cobb
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