



STATE OF NEW JERSEY

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

In the Matter of Sharon Graham,
Section Supervisor, Fiscal Resources
(PS0928P), Division of Consumer
Affairs

Examination Appeal

CSC Docket No. 2021-101

ISSUED: MARCH 26, 2021 (SLK)

Sharon Graham appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the education requirements for the promotional examination for Section Supervisor, Fiscal Resources (PS0928P), Division of Consumer Affairs.

The closing date for the subject examination was November 21, 2019. The education requirements were a Bachelor’s degree in Economics, Finance, Business Administration, Accounting or Public Administration, with a minimum of 21 semester hour credits in Finance, Economics and/or Accounting courses. Further, a State certificate as a Certified Public Accountant or registration as a Public Accountant issued by the State Board of Public Accountants could have been substituted for the required education. Moreover, a Bachelor’s degree supplemented by a minimum of 21 semester hour credits in Finance, Economics, and/or Accounting courses plus two years of experience involving fiscal management which shall have included public finance, auditing, budgeting, and accounting could have been substituted for the required education. The appellant was the only applicant and the examination was cancelled due to a lack of qualified candidates.

On the appellant’s application, she indicated that she has an Associate’s degree in Business Administration and a total of 126 college credits. The appellant also indicated that she was provisionally serving in the subject title from June 2019 to the November 21, 2019 closing date, an Administrative Analyst 4 from December 2015 to

June 2019, an Administrative Analyst 2 and 3 from January 2015 to December 2015, an Administrative Analyst 2 and 3 Fiscal Management from June 2012 to December 2015, an Administrative Analyst 3 from May 2009 to June 2012, an Office Automation Specialist 2 from April 2002 to March 2009, and a Supervisor of Accounts from July 1997 to March 1998.¹ Agency Services determined that the appellant was not eligible because she did not possess a Bachelor's degree.

On appeal, the appellant highlights her Associate's degree in Business Administration and her completion of more than 21 credits in the required specialized areas. She states that throughout her career her work has primarily been financial in nature, even in titles such as an Office Automation Specialist, where she was integral in the development of the inmate accounting, payroll and commissary systems that are currently used by the Department of Corrections. The appellant asserts that her current permanent title, Administrative Analyst 4, Fiscal Management², has the same basic requirements of the subject examination, and she was eligible and the first ranked candidate for a prior examination in that title.³ She describes, in detail, her fiscal management experience in various positions starting in 2012. The appellant states that her continued provisional experience in the subject title makes her even more qualified than she was at the time she applied for the subject examination. She argues that her experience and the number of college credits that she completed in the required specialized areas should enable her to be eligible for the subject examination.

Additionally, the appointing authority submits a letter in support of her appeal. It highlights that it received 18 applicants for a provisional position in the subject title and the appellant was provisionally appointed as she was the best candidate. The appointing authority presents that the appellant has gained more than one and one-half years of experience based on her provisional service in the subject title since the closing date. Further, it asserts that the appellant has 11 years of the required fiscal management experience since she was appointed as an Administrative Analyst 2 in June 2009. Additionally, while the appointing authority acknowledges that the subject examination does not have a substitution clause for the Bachelor's degree, it contends that most job specifications permit relevant

¹ Personnel records indicate that the appellant was provisionally serving in the subject title from June 2019 to the November 21, 2019 closing date, an Administrative Analyst 4 from December 2015 to June 2019, an Administrative Analyst 3, Fiscal Management from November 2015 to December 2015, an Administrative Analyst 2, Fiscal Management from June 2012 to November 2015, an Administrative Analyst 3, Data Processing from June 2009 to June 2012, an Office Automation Specialist 2 from February 2001 to June 2009, an Office Automation Specialist 3 from March 1998 to February 2001, a Supervisor of Accounts from July 1997 to March 1998, and served in various State titles from December 1989 to July 1997.

² Personnel records indicate that the appellant's permanent title is Administrative Analyst 4 and not Administrative Analyst 4, Fiscal Management.

³ The appellant submits the eligibility requirements for Administrative Analyst 4, Fiscal Management, which indicate that this title as has a substitution clause where experience can be substituted for a Bachelor's degree. The subject examination does not have this substitution clause.

experience to substitute for education requirements on a year-for-year basis. It contends that if the appellant was allowed to substitute her experience for the Bachelor's degree requirement, she would have ample experience. Therefore, the appointing authority requests that the Civil Service Commission (Commission) relax its rules to allow the appellant's experience to substitute for the Bachelor's degree requirement.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that the Commission may relax these 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.

Initially, Agency Services correctly determined that the appellant was ineligible as she does not possess a Bachelor's degree and the subject examination does not have a substitution clause for this requirement. However, the appellant's application indicates that she completed over 120 college credits, and she has an Associate's degree in Business Administration. While an Associate's degree and completing 120 college credits is not the same as obtaining a Bachelor's degree, it cannot be ignored that 120 college credits is the standard amount for obtaining a Bachelor's degree and that the appellant's Associate's degree is in one of the required specialized areas. Further, a review of the appellant's transcript indicates that she completed at least 27 credits in the required specialized areas which is more than the 21 required. Moreover, a review of her application and appeal indicates that she has applicable experience starting in June 2012. Also, the appellant continues to serve provisionally in the subject title after the closing date. Additionally, the subject examination was cancelled due to a lack of qualified candidates as the appellant was the only applicant. Therefore, although the appellant's education does not precisely mirror the requirements in the subject announcement, under these circumstances, the Commission finds good cause under *N.J.A.C.* 4A:1-1.2(c) to accept totality of her college education as having met the education requirement, for eligibility purposes only, and admit her to the examination.

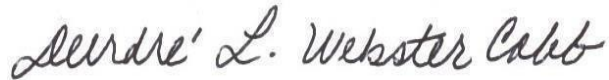
This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination announcement be rescinded, and Sharon Graham'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 24TH DAY OF MARCH, 2021



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Sharon Graham
Valarie Stutesman
Division of Agency Services
Records Center