



STATE OF NEW JERSEY

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

In the Matter of Jerome Kilkenny,
Business Manager (PC3916D),
Burlington County

Examination Appeal

CSC Docket No. 2023-256

:
:
:
:
:
:
:
:
:
:

ISSUED: October 12, 2022 (RE)

Jerome Kilkenny appeals the decision of the Division of Agency Services (Agency Services) which found that he did not meet the experience requirements for the promotional examination for Business Manager (PC3916D), Burlington County.

The subject promotional examination had a closing date of April 21, 2022 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 competitive title and who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor’s degree *and* two years of management experience which must have involved all of the following management functions:

1. setting program or organizational goals and objectives;
2. establishing organizational structure or determining the need for and developing plans for organizational changes;
3. setting policy for the organization or program managed by establishing program emphasis and priorities, and developing operating and procedural guidelines; and
4. directing the work of the organization or programs through subordinate levels of supervision.

Graduation from an accredited college or university with a Master’s degree in Human Services Administration, Business Administration, Public Administration, Industrial

Management, Industrial Engineering, Management Science, or in a program related to the organization, operation, administration, and control of private or public organizations could be substituted for one year of the indicated experience. The appellant was found to be below the minimum requirements in experience. One candidate appears on the eligible list, which was certified once, however no appointments have yet been made.

On his application, the appellant indicated that he possessed a Bachelor's degree in Public Administration, and a Master's degree in Financial Management. As his Master's degree could be substituted for one year of experience, he needed one year of applicable experience. He listed five positions on his application, provisional Business Manager; Senior Accountant; CFO/Treasurer (part-time, 10 hours per week); Self-Employed Consultant and Accountant. He was credited with six months of experience in the first position, and was found to be lacking six months of required experience. On appeal, the appellant describes duties for each position in detail.

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.

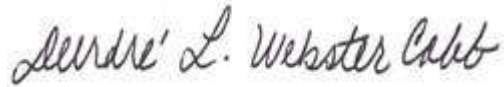
In the instant matter, the appellant was found to be lacking six months of qualifying experience as the appellant was only credited for the six months of experience in his provisional position in the subject title. The appellant's remaining positions are not applicable as they do not have management experience including the required management functions as the primary focus. As such, Agency Services correctly determined that the appellant was not eligible for the subject examination. Nevertheless, the appellant serves as a provisional in the subject title and has accrued six months of experience since the April 21, 2022 closing date. The list is incomplete with only one eligible. As such, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the appellant's additional experience after the closing date, for eligibility purposes only, and admit him to the examination.

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 12TH DAY OF OCTOBER, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Jerome Kilkenny
Eve Cullinan
Agency Services
Records Center