



STATE OF NEW JERSEY

In the Matter of Harmon Garvin,  
Administrative Analyst 2, Fiscal  
Management, Department of Health

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-2811

Examination Appeal

ISSUED: JUL 17 2014 (SLK)

Harmon Garvin appeals the determination of the Division of Selection Services (Selection Services) that he did not meet the experience requirements for the qualifying examination for Administrative Analyst 2, Fiscal Management, Department of Health.

By way of background, the appellant's credentials were reviewed to determine if he met the requirements for Administrative Analyst 2, Fiscal Management, Department of Health. The appellant indicated on his application that he was a Contract Administrator 2 from July 2011 to March 2014, a Buyer from July 2001 to July 2011, a General Manager for Duckrey Enterprises from May 1999 to December 2000, an Assistant Manager for The Briad Group from February 1998 to March 1999, an Assistant Manager for Shore-Wen, Inc. of PA from November 1996 to November 1997, a Director of Purchasing for Paterson Public Schools from November 1992 to December 1994, a Project Manager for New York City Public Schools from August 1991 to October 1992, a Business Manager for New York City Public Schools from March 1990 to August 1991, an Assistant Director of Purchasing for Newark Public Schools from April 1989 to March 1990, and an Educator Planner 1/Fiscal Analyst for New Jersey Department of Education from March 1987 to April 1998. He also possesses a Master's degree in Management and a Bachelor's degree in Business Administration. Personnel records indicate that he has been provisionally serving, pending qualifying examination procedures, in the subject title since April 2014. However, Selection Services determined that the appellant did not meet the requirements for the subject title and did not pass the

qualifying examination. In this regard, it is noted that the requirements for Administrative Analyst 2, Fiscal Management are graduation from an accredited college or university with a Bachelor's degree including or supplemented by 21 semester hour credits in any combination of accounting, business administration, economics, or finance courses and three years of experience in work involving fiscal analysis and evaluation, budgeting, and management operations in government, business, and/or a management consulting firm. Additionally, a Master's degree from an accredited college or university in one of the areas listed above may be substituted for one year of experience. Selection Services credited Mr. Garvin for his Bachelor's degree in Business Administration, but determined that the remainder of his experience was not applicable.

On appeal, Mr. Garvin states that his permanent title is Contract Administrator 2 and that he was offered a position in the subject title as a lateral title change. He indicates that as a Contract Administrator 2, he provides direct administrative, fiscal and budgeting services to the Division of HIV AIDS, STD, and TB Service. He states that he was laterally appointed to the subject title because of his strong interpersonal, administrative, analytical, project management, and fiscal skills. Further, he notes that the Civil Service Commission (Commission) previously recognized his out-of-title experience as a Buyer and his Master's degree when he applied for the Contract Administrator 2 examination. As such, he reasons that he has three years and three months of applicable experience. Additionally, Mr. Garvin states that if he receives credit for his Master's degree in Management which is an analytical degree, then he would only need two years of experience. Further, he reiterates that the Contract Administrator 2 position and the subject title both entail grant funding duties in a budgeting and financial operations environment and both positions use the same financial modules of the New Jersey Comprehensive Financial System, the web application New Jersey System for Administering Grants Electronically, and the web application Business Objects query building and financial reporting. Therefore, Mr. Garvin argues that he has the required experience for the subject title. He also submits a letter from his direct supervisor who indicates his support of his appeal.

## CONCLUSION

*N.J.A.C.* 4A:4-7.6(c) provides, in pertinent part, that if the nature of the work, education and experience qualifications of both titles are dissimilar for a lateral title change, then the employee shall be appointed pending examination. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the instant matter, the Civil Service Commission (Commission) agrees that, based on a strict reading of the experience requirements, Selection Services

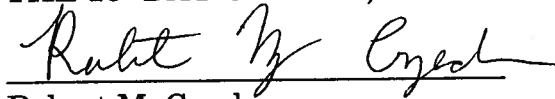
correctly determined that Mr. Garvin did not meet those requirements as of the May 2014 qualifying examination determination letter. However, although Mr. Garvin's experience does not precisely mirror the requirements contained in the job specification, the Commission is satisfied that the totality of his varied levels of both private and public sector experience in fiscal matters as far back as March 1987 warrants his admission to the subject examination. Additionally, Mr. Garvin continues to serve provisionally in the title under test. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C. 4A:4-2.6(a)* and accept the totality of Mr. Garvin's experience and he should be considered as passing the qualifying portion of his lateral title change.

### ORDER

Therefore, it is ordered that this appeal be granted.

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 16<sup>th</sup> DAY OF JULY, 2014



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

### Attachment

c: Harmon Garvin  
Loreta Sepulveda  
Dan Hill  
Joseph Gambino



Chris Christie  
Governor  
Kim Guadagno  
Lt. Governor

STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION  
DIVISION OF SELECTION SERVICES  
P.O. Box 310  
Trenton, New Jersey 08625-0310

Robert M. Czech  
Chair/Chief Executive Officer

TO: PMIS Support  
FROM: Jane Bando *JB*  
SUBJECT: Qualifying Examination

DATE: May 13, 2014

This is to advise you that we processed a Qualifying Examination for:

Candidate's Name: **Harmon J. Garvin**  
Social Security #: **XXX XX 9241**  
Department: **Department of Health**  
Title: **Administrative Analyst 2, Fiscal Management**  
Results: **FAIL**  
Effective Date: **N/A**

This title requires a "Bachelor's degree including or supplemented by twenty-one (21) semester hour credits in any combination of accounting, business administration, economics, or finance courses. It also requires three (3) years of experience in work involving fiscal analysis and evaluation, budgeting, and management operations in government, business, and/or a management consulting firm." Mr. Garvin has a Bachelor's Degree in Business Administration. Therefore, he needs 3 years of experience. Mr. Garvin does not possess any experience where the duties of the position rise to the level and scope of the requirements. Therefore, he lacks 3 years of experience.

c: CPM Team: Martha Bell  
Appointing Authority:

Loreta Sepulveda, Director, Human Resources  
loreta.sepulveda@doh.state.nj.us