

B-44



STATE OF NEW JERSEY

In the Matter of Michael Gage,  
Administrative Analyst 1 (PS1685G),  
Department of Environmental  
Protection

FINAL ADMINISTRATIVE  
ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-3400

Examination Appeal

ISSUED: **NOV 15 2016** (JET)

Michael Gage appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Administrative Analyst 1 (PS1685G), Department of Environmental Protection.

The promotional examination was announced with specific requirements which had to be satisfied by the November 21, 2015 closing date (see attached). The examination was cancelled on March 29, 2016 as the two applicants, including the appellant, were found ineligible for the examination.

On his application, the appellant indicated that he possessed a Bachelor's degree. Agency Services credited him for his education. He also listed that he served as an Operations Assistant from January 2013 to the November 2015 closing date, as a Supervisor from February 2004 to January 2013, and as an Inspector from July 1987 to February 2004. Official personnel records indicate that he served as a provisional Administrative Analyst 4<sup>1</sup> from November 14, 2015 to the closing date, as a provisional Administrative Analyst 1 from November 2014 to November 2015, as an Environmental Specialist 4 from January 2011 to July 2014, as a Supervising Environmental Specialist from May 2005 to January 2011, as a Principal Environmental Specialist from May 1993 to May 2005, as a Senior

<sup>1</sup> The Administrative Analyst 1 title underwent a verbiage change and is now Administrative Analyst 4.

Environmental Specialist from June 1990 to May 1993, as an Environmental Specialist from July 1988 to June 1990, and as an Environmental Specialist trainee from July 1987 to July 1988. Agency Services credited the appellant with one year and one month of applicable experience based on his provisional experience in the title under test. However, it could not credit him with any other applicable experience. Accordingly, Agency Services determined that the appellant lacked two years and 11 months of applicable experience.

On appeal, the appellant maintains that he meets the experience requirement for the subject examination. In support, the appellant submits a letter from Knute Jensen, Director, Division of Compliance Operations and Coordination, who confirms that from 2010 to 2012, the appellant's duties included taking leadership responsibility and launching a project for turning a high volume registration system into an online tool. Further, Mr. Jensen states that he appointed the appellant as lead analyst in 2012, where his duties included data-centric work-processes, reviewing policies and practices, applying analytical skills, and delivering recommendations. Additionally, the appellant provides a letter from John Barry, Section Chief, Division of Compliance and Enforcement, who indicates that from 2004 to 2013, the appellant's duties included data analysis, managing projects and programs, enabling online payment programs, developing automated processes for registration programs, and revamping the online transporter registration renewal service.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional 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 with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process.

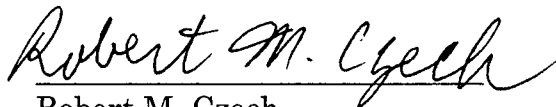
Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. Primarily performing the required duties to establish eligibility for the subject examination would be considered out-of-title work for incumbents in the Environmental Specialist 4, Supervising Environmental Specialist, and Principal Environmental Specialist titles. However, the Director of the Division of Compliance Operations and Coordination, and the Section Chief of the Division of Compliance and Enforcement, have verified that the appellant has been performing the required duties of the subject title since 2004. Further, the appellant continues to serve as a provisional Administrative Analyst 4 and the examination was cancelled due to lack of applicants. Under these circumstances, good cause exists to accept the appellant's out-of-title work experience for eligibility purposes only, and admit him to the examination.

**ORDER**

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded and the appellant'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 10<sup>th</sup> DAY OF NOVEMBER, 2016



Robert M. Czech  
Chairperson  
Civil Service Commission

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and  
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c: Michael Gage  
Deni Gaskill  
Kelly Glenn  
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE  
**PROMOTIONAL ANNOUNCEMENT**



**\$25.00 PROCESSING FEE REQUIRED**  
 Make Check/Money Order Payable to NJCSC

|   |   |
|---|---|
| SYMBOL: <b>PS1685G</b>  | WEIGHT CODE: *                            |
| TITLE: <b>ADMINISTRATIVE ANALYST I</b>                                    | SALARY: <b>\$74,252.00 - \$105,891.00</b> |
| ISSUE DATE: <b>November 01, 2015</b>                                      | CLOSING DATE: <b>November 21, 2015</b>    |
| TITLE CODE: <b>50076/WPRXR9</b>   | CLASS CODE: <b>29</b>                     |
| DEPARTMENT: <b>EPA/ENVIRONMENTAL PROTECTION</b>                           |   |
| UNIT SCOPE: <b>G980 Division of Solid Waste and Pesticide Enforcement</b> |   |

Visit [www.state.nj.us/csc](http://www.state.nj.us/csc)  
 And select "Job Announcements"  
 to view this announcement and to file an application

**Open to employees in the competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):**

**Administrative Analyst 2**

**Or to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:**

**Education:** Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

**Experience:** Four (4) years of experience in work involving the review, analysis and evaluation of budget, organization, administrative practices, operational methods, management operations or data processing applications, or any combination thereof, which shall have included responsibility for the recommendation, planning and/or implementation of improvements in a business or government agency.

**Note:** Graduation from an accredited college or university with a Master's degree in Public Administration, Business Administration, Economics, Finance or Accounting may be substituted for one (1) year of indicated experience. You must indicate the details of your Master's degree on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

**License:** Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

**Note:** This announcement may be tested via the Supervisory Test Battery, a computer-administered exam. For information regarding the Supervisory Test Battery, please refer to our website <http://www.state.nj.us/csc/seekers/about/steps/step7.html>.

**IMPORTANT INFORMATION**

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
2. ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. YOU MUST COMPLETE YOUR APPLICATION IN DETAIL. Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.
5. In accordance with Public Law 2010 c.26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.
6. SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.
7. If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: [OAS.support@csc.state.nj.us](mailto:OAS.support@csc.state.nj.us) or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

DPF-256A \* Revised 03/09