



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Gina Schanck,
Travel Coordinator, Department of
Law and Public Safety

Administrative Appeal

CSC Docket No. 2016-4030

ISSUED: **NOV 16 2016** (HS)

The Division of Agency Services (Agency Services), on behalf of the Department of Law and Public Safety, requests that Gina Schanck's out-of-title work experience be accepted to allow her to meet the eligibility requirements for Travel Coordinator, Department of Law and Public Safety.

By way of background, Schanck was regularly appointed to the title of Principal Audit Account Clerk effective August 26, 1996. Subsequently, Schanck filed a classification appeal, maintaining that her duties were inconsistent with the title of Principal Audit Account Clerk. Agency Services conducted an audit of Schanck's position and found that the duties that she performed were consistent with the duties of a Travel Coordinator, Department of Law and Public Safety.¹ Agency Services indicated that the effective date of the reclassification would be February 6, 2016.²

The appointing authority thereafter requested that Agency Services review Schanck's credentials to determine if she met the open competitive requirements for Travel Coordinator, Department of Law and Public Safety. The requirement for Travel Coordinator, Department of Law and Public Safety is four years of experience making travel arrangements to include: booking or issuing airline tickets, making hotel reservations, arranging car rentals, or mileage and other

¹ Principal Audit Account Clerk is a range R-12 and Travel Coordinator, Department of Law and Public Safety is a range W-18.

² Agency records indicate that the appellant's title has not been changed.

reimbursement processing, preparing, reviewing, and verifying varied types of fiscal or statistical records. Agency Services determined that Schanck did not meet the requirement for the position as she was credited with only four months of applicable experience. Agency Services indicated that although Schanck possessed an additional three years and eight months of applicable experience, that experience would be considered out-of-title work.

In support of its request, the appointing authority describes Schanck's duties and requests that her out-of-title experience be accepted to meet the requirement for the subject position. For example, Schanck provides guidance and liaises to department agencies in the preparation and processing of travel procedures and travel-related documents for fiscal action; investigates, mitigates and resolves travel-related payment discrepancies to payees; and prepares monthly fiscal reports on department travel. The appointing authority explains that due to business necessity, Schanck was assigned higher level out-of-title duties.

It is noted that primarily performing the duties of a Travel Coordinator, Department of Law and Public Safety would be considered out-of-title work for incumbents in the Principal Audit Account Clerk title. A review of the record indicates that there are no existing open-competitive, promotional or special reemployment lists for the title of Travel Coordinator, Department of Law and Public Safety.

CONCLUSION

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.

In the present matter, the appointing authority has verified that Schanck has been performing duties consistent with the title of Travel Coordinator, Department of Law and Public Safety and continues to perform the required duties due to business necessity. Agency Services' classification determination evidences the change in her duties. There is also no dispute that she meets the open competitive requirements for the title at issue, with the consideration of her out-of-title experience, as evidenced by the pre-appointment evaluation conducted by Agency Services. Under these circumstances, good cause has been presented to accept Schanck's out-of-title work in order to qualify her for any upcoming promotional examination for Travel Coordinator, Department of Law and Public Safety.

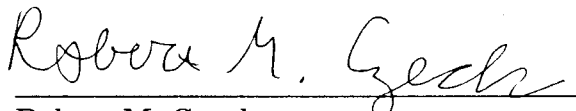
ORDER

Therefore, it is ordered that this request be granted and Gina Schanck's out-of-title work experience be accepted on a year-for-year basis for a prospective promotional examination for Travel Coordinator, Department of Law and Public Safety. Schanck is to provide a copy of this decision with the promotional application that she submits upon examination announcement. In addition, the Division of Agency Services shall also accept applicable and documented out-of-title work experience from all other promotional examination applicants.

It is also ordered that the appointing authority take the necessary steps to effect the appointment of Schanck to the title of Travel Coordinator, Department of Law and Public Safety effective February 6, 2016, or assign her duties commensurate with her permanent title of Principal Audit Account Clerk. The appointing authority is further ordered to notify the Division of Agency Services within 30 days of the date of this decision as to how it is proceeding in compliance with this decision. Finally, it is ordered that the appointing authority pay the appellant differential back pay from February 6, 2016 until the date she is placed in the appropriate title.

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 10TH DAY OF NOVEMBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

- c. Mirella Bednar
Gina Schanck
Kelly Glenn
Records Center