



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

In the Matter of Michael Jenkins, Manager 2, Department of Law and Public Safety (PS2310P), State Police

Examination Appeal

CSC Docket Nos. 2017-258

ISSUED: DEC 14 2016 (SLK)

Michael Jenkins appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Manager 2, Department of Law and Public Safety (PS2310P), State Police.

The examination at issue was announced with specific requirements that had to be met as of the March 21, 2016 closing date (see attached). A total of three employees applied for the subject examination and each was deemed ineligible. Accordingly, the examination was cancelled due to a lack of qualified applicants.

Mr. Jenkins indicated on his application that he was a Supervising Public Safety Telecommunicator, State Police, from November 2015 to the March 21, 2016 closing date, the President of the Greenwich Township Board of Education for 15 hours per week from May 2008 to the March 21, 2016 closing date, and a Senior Public Safety Telecommunicator, State Police from July 2002 to November 2015. He also indicated that he possesses a Bachelor's degree. Additionally, personnel records indicate that he was a Public Safety Telecommunicator, State Police from January 1997 to July 2002. Agency Services credited him with having met the education requirement based on his Bachelor's degree and having 3 years and 5 months of general experience by prorating his 7 years and 11 months of 15 hours per week experience as President of the Greenwich Township Board of Education, but determined that he lacked 1 year and 7 months of general experience and 2 years of supervisory experience.

On appeal, Mr. Jenkins states that the announcement does not indicate the size or scope of the "program" which a candidate must manage. He represents that he has taken on responsibility beyond his Civil Service title. The appellant provides that he gained the required experience by leading the Camden Initiative Program from July 2002 through June 2012 where he was in charge of dispatch services which included being in charge of administrative duties such as scheduling, handling personnel matters, training, operational planning, reporting, ensuring quality work performance, and leading personnel. Additionally, he highlights his achievements as the President of the Greenwich Township Board of Education. He submits his performance evaluations from 2004 to 2012 and other documentation in support of his appeal.

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: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. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

A review of the record indicates that Agency Services correctly determined that the appellant is not eligible for the subject examination. Agency Services credited the appellant with having met the education requirements and having three years and five months of general experience by prorating his part-time experience as the President of the Greenwich Township Board of Education, but determined he lacked one year and seven months of general experience and two years of supervisory experience. However, any applicable experience the appellant gained as a Supervising Public Safety Telecommunicator, State Police, or as a Senior Public Safety Telecommunicator, State Police, would be considered out-of-title work. Generally, program management requires second level supervisory responsibilities over a primary level supervisor. In other words, program management experience is typically gained by service in secondary, or "S" level supervisory titles as service at this level provides a higher level of supervisory responsibility necessary for successful performance in a managerial level position. The Supervising Public Safety Telecommunicator, State Police is a primary, or "R" level supervisory title. Further, the appellant would need to show that he was responsible for the performance evaluations of "R" level, or primary level supervisors. *See In the Matter of Colleen Keller* (CSC, decided February 12, 2014), *reversed on other grounds* (CSC, decided May 21, 2014). However, the appellant's service as a Supervising Public Safety Telecommunicator, State Police or Public Safety Telecommunicator, State Police was not in "S" level titles. Moreover, he has

not submitted any documentation from the appointing authority which would confirm that he was performing secondary level supervisory responsibilities out-of-title by signing the performance evaluations of primary level supervisors while serving in these titles.

One other issue needs to be addressed. The announcement indicates that the examination requires five years of experience in program management, two years of which shall have been in a supervisory capacity. However, as stated above, program management experience is secondary level supervisory experience. Therefore, Agency Services should review the job specification for the subject title and make any changes as it deems appropriate.

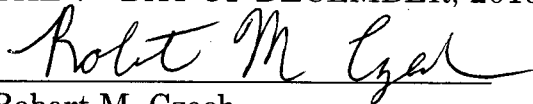
Therefore, there is no basis to disturb the decision of Agency Services. Accordingly, Mr. Jenkins has not met his burden of proof in this matter.

ORDER

Therefore, it is ordered that the appeal be denied.

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 7th DAY OF DECEMBER, 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

Attachment

c: Michael Jenkins
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: **PS2310P**

WEIGHT CODE: *

TITLE: **MANAGER 2 DEPARTMENT OF LAW AND PUBLIC SAFETY**

SALARY: **\$73,868.00 - \$107,118.00**

ISSUE DATE: **March 01, 2016**

CLOSING DATE: **March 21, 2016**

TITLE CODE: **61669/C6R XR8**

CLASS CODE: **32**

DEPARTMENT: **LPP/LAW & PUBLIC SAFETY**

UNIT SCOPE: **P616 State Police/Office of Emergency Management**

Visit 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 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 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.

Experience: Five (5) years of experience in program management, two (2) years of which shall have been in a supervisory capacity.

Note: A Master's degree in various fields of study relevant to human resources, administration, management, business and commerce, public affairs, accounting and finance, data processing/computer sciences, or related fields denoting program management and concepts may be substituted for one (1) year of indicated non managerial/supervisory 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.

Note: 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.

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 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 Management Test Battery (MTB). Under the guidelines of the MTB program, an applicant's score will be retained and applied to subsequent promotional or open competitive announcements for titles tested under this program. For information regarding the Management 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 DEFAH. 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 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