

B-42



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Perris Straughter,
Supervising Planner (PM0236S),
Newark

Examination Appeal

CSC Docket No. 2015-66

ISSUED: **OCT 03 2014** (SLK)

Perris Straughter appeals the determination of the Division of Selection Services (Selection Services) that he was below the minimum requirements in experience for the promotional examination for Supervising Planner (PM0236S), Newark.

The examination at issue was announced with specific requirements that had to be met as of the February 21, 2014 closing date (see attached). Mr. Straughter was the only employee who applied for the subject examination and the examination was cancelled due to a lack of qualified candidates.

On Mr. Straughter's application, he indicated that he was provisionally serving in the subject title from June 2013 to the February 21, 2014 closing date, a Senior Planner from February 2010 to May 2013, a Senior Planner and Project Manager for Brick City Development Corporation (BCDC) from April 2009 to February 2010, a Senior Planner from July 2007 to April 2009, and an Administrator for Keratech Services DBA SkinWest. A review of agency records indicates that appellant was provisionally serving as a Principal Planner from July 2007 to April 2009. Mr. Straughter also indicated that he possessed a Master's degree in Planning and a license as a Professional Planner. Selection Services credited the appellant with having met the education and licensing requirements, having six years and eight months of general experience, and nine months of supervisory experience based on his provisional experience in the title under test, but determined that his other supervisory experience was not applicable as either it

was out-of-title or that he was not supervising professional staff. Consequently, it determined that Mr. Straughter lacked three months of supervisory experience.

On appeal, the appellant states that since July 2007 he has worked as a municipal planner for Newark including a brief period at the BCDC where he worked as a planning consultant for both Newark and the BCDC. Additionally, Mr. Straughter also indicates that he has previous planning experience in Oakland, California in 2006. The appellant maintains that since the end of 2010 he has worked in a supervisory capacity for Newark's planning function by supervising consultants and part-time staff members on various planning projects. Mr. Straughter highlights that he has over six years of experience and asserts that he has over three years of supervisory experience.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

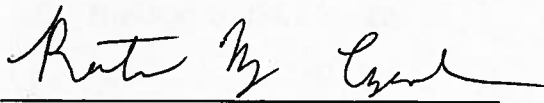
Based on his application, Selection Services correctly determined that Mr. Straughter did not meet the required experience as of the February 2014 closing date as his supervisory experience as a Senior Planner was out-of-title work and his experience supervising non-professionals was not applicable. However, the appellant gained the additional experience to satisfy the supervisory experience requirement after the closing date. Moreover, the record evidences that the examination was cancelled due to a lack of qualified candidates. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept Mr. Straughter's experience after the closing date and admit him to the subject examination. Accordingly, admitting the appellant to the subject examination will provide the appointing authority with an eligible list so that it can make a permanent appointment.

ORDER

Therefore, it is ordered that the appeal be granted, 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 1st DAY OF OCTOBER, 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: Perris Straughter
Michael Greene
Dan Hill
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION
COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



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

SYMBOL: PM0236S	WEIGHT CODE: *
TITLE: SUPERVISING PLANNER	SALARY: \$73,595.93 - \$98,327.26
ISSUE DATE: February 01, 2014	CLOSING DATE: February 21, 2014
TITLE CODE: 16492/ BWFG9	JURISDICTION CODE: N07140019
JURISDICTION: NEWARK	
DEPARTMENT: ECONOMIC AND HOUSING DEVELOPMENT	

RETURN COMPLETED APPLICATIONS TO: **ONLY ON LINE APPLICATIONS
WILL BE ACCEPTED
FOR THIS ANNOUNCEMENT**

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

Principal Planner 16491

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 including or supplemented by 21 semester hour credits in professional planning subjects such as the principles of land use planning, history of city planning, planning project design, and planning law and administration. You must indicate the total number of college credits completed to date on your application. You must provide proof of the specific credit requirement. You must attach a copy of your transcript and credits that have been completed, to your application. If you attach a list of courses, you must provide the following information: course title, number of credits earned, name of accredited college/university, and course description. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Experience: Four (4) years of responsible professional experience in municipal, county, regional, or state planning, one (1) year of which shall have included supervisory responsibilities.

Note: Possession of a Master's degree in Planning from an accredited college or university 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: A license as a Professional Planner, issued by the New Jersey State Board of Professional Planners is required. Proof of the license must be submitted to the hiring agency prior to appointment. Failure to do so will result in rejection from the examination process.

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>.

NOTE: As of December 1, 2013, applications must be completed and submitted by 4:00 pm on the closing date.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
2. 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-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, 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. (i.e. Police, Fire, Corrections and Sheriff).
6. SAVE ON POSTAGE! GO PAPERLESS! RECEIVE IMMEDIATE CONFIRMATION THAT YOUR APPLICATION HAS BEEN RECEIVED! You can now file an application for this examination on-line. Visit the Civil Service Commission website at <http://info.csc.state.nj.us/epoa>. Select the promotional announcement and click on the link, "Click Here to file Online" at the top of the announcement. You can now complete and submit your application and payment on-line to the Civil Service Commission and you will receive an immediate receipt confirmation!

DPF-256A * Revised 03/09