

B-50



STATE OF NEW JERSEY

In the Matter of George Semple,
Administrative Analyst 1, Data
Processing (PS6095D), Department of
Community Affairs

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

CSC Docket No. 2015-247

ISSUED: OCT 24 2014 (WR)

George Semple appeals the determination of the Division of Selection Services (Selection Services) which found that he was below the minimum requirements in experience for the promotional examination for Administrative Analyst 1, Data Processing (PS6095D), Department of Community Affairs.

The subject examination was announced with a closing date of December 21, 2013 and was open to applicants who possessed a Bachelor's degree and four years of experience in work involving the review, analysis and evaluation of organization and administrative practices to determine the need for revision or implementation of data processing systems in a large business or government agency. The record indicates that an eligible list containing the name of one individual promulgated on July 10, 2014 and expires on July 9, 2017. Agency records reveal that a certification was issued on July 10, 2014, containing the name of one eligible, who was appointed to the subject position, effective July 28, 2014.

On his application, the appellant indicated that he possessed a Bachelor's degree and had served in the subject title from October 2013 through the closing date; as a Technical Support Specialist 1 from October 2008 to October 2013; as an Information Systems Specialist from May 2003 to October 2008; and as a Webmaster from January 2001 to May 2003. Selection Services only credited his experience in the subject title. In particular, it determined that his experience as a Technical Support Specialist 1 and as an Information Systems Specialist, while relevant, constituted out-of-title work.

On appeal, the appellant highlights his duties as an Information Systems Specialist and contends that this experience, while out-of-title, nevertheless

satisfies the experience requirement. Additionally, he argues that he was “incorrectly placed into the Technical Support Specialist title” and claims that he performed the same duties as an Information Systems Specialist as he did as a Technical Support Specialist 1. In support of his appeal, the appellant submits a letter from his supervisor, Peter Lijoi, who verifies that the appellant performed relevant duties from November 2010 to July 2014.

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. *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 eligibility requirements or for credit in the examination process.

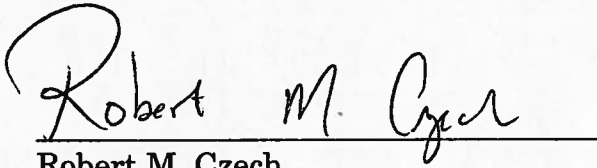
Selection Services determined that the appellant lacked three years and nine months of the aforementioned experience needed for the subject examination. However, the appellant, supported by Mr. Lijoi, indicated in his appeal that he performed relevant duties from November 2010 to July 2014. Accepting Mr. Lijoi’s verification that the appellant performed the appropriate duties as of the closing date for the subject promotional examination, the appellant possessed the required four years of applicable experience. However, all but three months of the appellant’s experience he accumulated before his provisional appointment in the subject title constitutes out-of-title work. In this case, the appellants provides, in relevant part, a detailed description of the applicable out-of-title experience gained while employed as a Technical Support Specialist. Additionally, the subject eligible list is currently exhausted, as the only eligible admitted to the examination has been appointed. Moreover, the appellant continues to serve provisionally in the subject title. Accordingly, good cause exists to accept the appellant’s out-of-title work experience and admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted and George Semple’s application be processed for prospective appointment 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 22nd DAY OF OCTOBER, 2014

A handwritten signature in black ink that reads "Robert M. Czech". The signature is written in a cursive style and is positioned above a horizontal line.

Robert M. Czech
Chairperson
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