

CSC
B-3



STATE OF NEW JERSEY

In the Matter of Joseph Caruso,
Administrative Analyst 4, Fiscal
Management, Department of Law and
Public Safety

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-829

Administrative Appeal

ISSUED: **NOV 20 2014** (BS)

The Division of Classification and Personnel Management (CPM), on behalf of the Department of Law and Public Safety, requests that Joseph Caruso be promoted from his current non-competitive title, Computer Operator Assistant, at the Department of the Treasury, Office of Information Technology, to the competitive title, Administrative Analyst 4, Fiscal Management, an un-related, above entry-level title at the Department of Law and Public Safety.

By way of background, Mr. Caruso is currently serving permanently in the non-competitive title, Computer Operator Assistant. The appointing authority submitted a request to CPM to promote Mr. Caruso to the competitive title, Administrative Analyst 4, Fiscal Management. The Division of Selection Services (DSS) conducted a pre-appointment evaluation and concluded that Caruso satisfies the open-competitive requirements for Administrative Analyst 4, Fiscal Management. It is noted that incumbents serving in the Administrative Analyst 4, Fiscal Management title are required to possess a Bachelor's degree from an accredited college or university including or supplemented by 21 semester hour credits in any combination of Accounting, Business Administration, Economics or Finance courses plus one year of experience in work involving fiscal analyses and evaluation, budgeting, and management operations in government, business, and/or a management consulting firm. Applicants who did not possess the Bachelor's degree, but who possessed the 21 semester hour credits as indicated, could substitute the remaining education with experience as indicated above on a year-for-year basis.

In its request to the Civil Service Commission, CPM indicates that the appointing authority has verified that there are no promotional, regular re-

employment or special re-employment lists for the Department of Law and Public Safety. However, there is one open-competitive list containing 11 names. Based on this information, CPM recommends that a one-time rule relaxation be made to allow Caruso to undergo promotional procedures to advance from the non-competitive Computer Operator Assistant title to the unrelated, above entry-level competitive title, Administrative Analyst 4, Fiscal Management.

CONCLUSION

N.J.A.C. 4A:1-1.2(c) provides that the Civil Service Commission may relax a rule for good cause, in a particular circumstance, in order to effectuate the purposes of Title 11A of the New Jersey Statutes Annotated.

In the present matter, the appointing authority has verified that there are no promotional, regular re-employment or special re-employment lists for Administrative Analyst 4, Fiscal Management, Department of Law and Public Safety, although there is an open-competitive list containing 11 names. However, CPM recommends that this request be granted since promotional lists have priority over open-competitive lists. See *N.J.A.C.* 4A:4-3.7(a)2. Under these circumstances, good cause has been presented to permit a one-time rule relaxation to allow Mr. Caruso to undergo promotional procedures to advance from the non-competitive Computer Operator Assistant title to the unrelated, above entry-level competitive title, Administrative Analyst 4, Fiscal Management.

ORDER

Therefore, it is ordered that this request be granted and Joseph Caruso be permitted to advance from a non-competitive Computer Operator Assistant to the unrelated, above entry-level competitive title, Administrative Analyst 4, Fiscal Management. Mr. Caruso is to provide a copy of this decision with the promotional application that he submits upon promotional examination announcement.

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 19TH DAY OF NOVEMBER, 2014



Robert M. Czech
Chairperson
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and
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