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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Joann Stevenson,
Chief Fire Alarm Operator
(PM0317S), Paterson Fire
Department

CSC Docket No. 2015-213

Examination Appeal

ISSUED: NOV 10 2014 (WR)

Joann Stevenson appeals the determination of the Division of Selection Services (Selection Services) that she did not meet the experience requirements for the promotional examination for Chief Fire Alarm Operator (PM0317S), Paterson Fire Department.

The subject examination was announced with a closing date of March 21, 2014 and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service and were currently serving as a Fire Alarm Operator. It is noted that five candidates were found eligible for the examination, which resulted in an eligible list containing all five names that promulgated on July 17, 2014 and expires on July 16, 2017. A certification was issued July 25, 2014, but has not yet been returned.

In her application, Ms. Stevenson indicated that she had served provisionally as a Chief Fire Alarm Operator from December 1996 through the closing date. Ms. Stevenson did not list any other experience. Selection Services reviewed agency records which revealed that Ms. Stevenson received a regular appointment to the title of Public Safety Telecommunicator, effective September 1, 1999.¹ Accordingly, Selection Services concluded that Ms. Stevenson was ineligible for the subject examination because she was not currently serving in the title of Fire Alarm Operator.

¹ Agency records also indicated that she had served as a Fire Alarm Operator from December 16, 1996 to September 1, 1999.

On appeal to the Civil Service Commission (Commission) Ms. Stevenson claims that she served as a Fire Alarm Operator until the appointing authority placed her into the Chief Fire Alarm Operator title. In support of her appeal, she submits a letter from Betty Taylor, Assistant Personnel Director, who states that Ms. Stevenson's title was changed from Public Safety Telecommunicator to Chief Fire Alarm Operator, effective December 1, 2009, as the result of an arbitration award. Ms. Taylor indicates that due to a clerical error, the change to Ms. Stevenson's title was not entered into the County and Municipal Personnel System (CAMPS) until after the subject examination was announced.² Subsequently, on October 3, 2014, Ms. Stevenson's CAMPS record was changed to reflect her provisional appointment, pending promotional examination procedures, to the title of Chief Fire Alarm Operator, effective January 18, 2010.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) requires applicants to possess all the requirements specified in an announcement for a promotional competitive examination by the closing date. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

Selection Services found that since Ms. Stevenson was not serving in the title of Fire Alarm Operator as of the March 21, 2014 closing date, she was ineligible for the subject examination. On appeal, Ms. Stevenson does not provide any support that she was serving in the title of Fire Alarm Operator as of the closing date. The record indicates that as of the closing date, Ms. Stevenson was serving in the subject title provisionally, and her underlying permanent title was Public Safety Telecommunicator. Therefore, Selection Services correctly determined that she was ineligible for the subject examination. Accordingly, Ms. Stevenson has failed to meet her burden of proof in the matter and a sufficient basis exists in the record to support Selection Services' determination that she is ineligible for the Chief Fire Alarm Operator (PM0317S), Paterson Fire Department examination.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

² It is noted that in the arbitration settlement agreement Ms. Taylor submits, the parties agreed that Ms. Stevenson was to be promoted to Senior Communications Operator, effective December 1, 2009. However, the title Senior Communications Operator is only available for State government use.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 6th DAY OF NOVEMBER, 2014



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