



2. Probationary employees in that title as of the effective date shall continue serving their working test periods and, upon successful completion, attain permanent status in the non-competitive division.
3. Provisional employees who remain in that title as of the effective date shall receive regular appointments (RAN) and begin serving their working test period on the effective date.
4. Where it is found that an employee's movement from a non-competitive title to a competitive title could have been effectuated via promotional examination procedures before any title reallocation impacting the employee's title, the Division of Selection Services (Selection Services) will announce a promotional examination, regardless of whether or not the movement after the reallocation constitutes a promotional movement. Similarly, where an employee was previously classified in a competitive title, but, as a result of the title reallocation, is moved into a non-competitive title, Selection Services will process any future promotional movements based on the employee's competitive title before the title reallocation without regard to whether or not the employee's present non-competitive title is approved to promote to a competitive title.

CPM advises that all State and local government appointing authorities were provided the opportunity to review the proposal and all articulated issues have been reviewed and resolved. Additionally, State negotiations representatives have been notified and provided with an opportunity to review and comment on the proposal. No comments or objections were received.

*N.J.A.C. 4A:3-1.2* provides, in part, that the Commission may reallocate titles from the competitive to the non-competitive division when competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job or when certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions.

Based on all of the foregoing, ample reasons exist for the reallocation of the proposed titles to the non-competitive division of the career service. There are no specific experience requirements for the titles at issue and the only requirement is possession of education and/or certification. Therefore, competitive testing is impracticable for these titles.

Under current Civil Service rules, reallocation of the named titles will result in the granting of permanent status and all attendant Civil Service rights and privileges currently accorded employees in the non-competitive division of the career service. Seniority for any affected permanent employee would be continuous and include all permanent service in the reallocated title. As of the effective date of

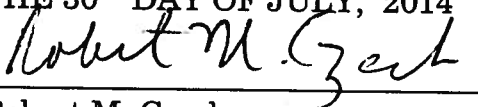
reallocation, all employees serving provisionally in these affected titles are to be recorded as permanent, pending completion of the required working test period.

### ORDER

Based on all of the above, it is ordered that the titles listed in the attachment be reallocated to the non-competitive division. It is further ordered that such action be effective August 9, 2014.

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 30<sup>TH</sup> DAY OF JULY, 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: Kenneth Connolly  
Dan Hill  
All State and Local Appointing Authorities

# MEMORANDUM

DATE: July 21, 2014

TO: Civil Service Commission

FROM: Kenneth Connolly, Director *Kenneth Connolly*  
Division of Classification and Personnel Management

SUBJECT: Change in State Classification Plan

## COMPETITIVE TO NONCOMPETITIVE TITLES REALLOCATION

The Division of Classification and Personnel Management requests the reallocation of various titles from the competitive to the noncompetitive division of service. This action will provide jurisdictions with the flexibility needed to more efficiently and quickly meet their hiring responsibilities.

These titles were identified for reallocation based on the criteria set forth in *N.J.A.C. 4A:3-1.2(c)1*:

“Competitive testing is not practicable due to the nature of the knowledge, skills and abilities associated with the job.”

Any existing eligibility lists for these titles and any current announcements for which exams have not been administered will be cancelled upon successful completion of the reallocation process.

State and local agencies wishing to do so, may recruit and appoint from cancelled lists which have not technically expired. However, resulting appointments will be recorded as permanent in the noncompetitive division. Appointment types for existing employees in these titles as of the effective date will be handled in accordance with *N.J.A.C. 4A: 3-1.2(f)*.

- Permanent employees in that title as of the effective date shall have their appointment types changed to RAN, and shall retain their permanent status in the noncompetitive division.
- Probationary employees in that title as of the effective date shall continue serving their working test periods and, upon successful completion, attain permanent status in the noncompetitive division.
- Provisional employees who remain in that title as of the effective date shall receive regular appointments and begin serving their working test periods on the effective date.

State and local Appointing Authorities have been given the opportunity to review this proposal and all articulated issues have been reviewed and resolved.

The changes will become effective at the beginning of the first pay period following Commission approval of these actions.

**TITLES TO BE REALLOCATED TO NONCOMPETITIVE:**

**From Competitive:**

Agricultural Products Agent Trainee  
I99-33890 H 40/12

Behavior Support Technician Trainee  
P95-54892 P 40/12

Chemist Trainee  
P95-01550 \* Common 35/12

Instructor/Counselor Trainee  
P95-61380 \* NE/12

Printing Machine Operator Trainee  
A99-22530 \* Common 35/12

**To Noncompetitive:**

Agricultural Products Agent Trainee  
I99-33890 H 40/12

Behavior Support Technician Trainee  
P95-54892 P 40/12

Chemist Trainee  
P95-01550 \* Common 35/12

Instructor/Counselor Trainee  
P95-61380 \* NE/12

Printing Machine Operator Trainee  
A99-22530 \* Common 35/12

KC/JT/BP/DC