

B-100



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Erskine Barrino,  
Assistant Buyer (S0384S), Statewide

CSC Docket No. 2015-612

Examination Appeal

ISSUED: FEB 09 2015 (SLK)

Erskine Barrino appeals the determination of the Division of Selection Services<sup>1</sup> (Selection Services) that, per the substitution clause for education, he did not meet the experience requirements for the open competitive examination for Assistant Buyer (S0384S), Statewide.

The examination at issue was announced with specific requirements that had to be met as of the June 11, 2014 closing date (see attached). A total of 79 individuals applied for the subject examination which resulted in a list of 26 eligibles with an expiration date of August 27, 2017. Certifications OS140402, OS140578, and OS140579 have been issued, but have not yet been disposed.

Mr. Barrino indicated on his application that he was a Supply Support Technician 2 for the Department of Transportation (DOT) from April 2001 to the June 11, 2014 closing date, an Equipment Operator for the DOT in April 2001, a Truck Driver Single Axle for the DOT from April 1999 to April 2000, and a Maintenance Worker 1, Transportation for the DOT from October 1989 to April 1999. His application did not indicate completion of any college credits. Personnel records indicate that the appellant was a Supply Support Technician 2 for the DOT from June 2001 to the June 11, 2014 closing date, an Equipment Operator for the DOT from July 2000 to June 2001, a Truck Driver Single Axle for the DOT from March 1999 to July 2000, a Maintenance Worker 1, Transportation for the DOT from August 1989 to March 1999, and a Maintenance Worker 2, Transportation for

<sup>1</sup> Now the Division of Agency Services.

the DOT from November 1989 to April 1990. Selection Services did not credit Mr. Barrino with any applicable experience as it commented that purchasing was not his primary duty.

On appeal, Mr. Barrino states that he has been employed in a competitive title with the DOT for over 13 years and therefore he should be determined eligible based on this reason alone. Mr. Barrino contends that a candidate is required to have a "buyer number" in order to purchase for the State and that he has had his own buyer number for over 10 years. The appellant indicates that he is currently on promotional lists for examinations for Storekeeper 1 and Supply Support Technician 1. Mr. Barrino asserts that he has 12 years of experience purchasing large and small scale commodities, equipment, and other supplies. The appellant maintains that he is knowledgeable in certain computer systems and processes that are utilized for purchasing. Mr. Barrino highlights that he has been called to interview for the subject title for positions with the DOT in both the North and South Regions and states that in order to interview for these positions, he needed to already be employed as a Supply Support Technician 1 or 2 or a Storekeeper 1 or 2.

The Division of Appeals and Regulatory Affairs (DARA) contacted the DOT to inquire whether Mr. Barrino spent 50 percent or more of his time, *i.e.*, his primary duties, involved the large scale purchasing of commodities, equipment, and supplies which would have included sending out purchase requests for bid. In response, the DOT provides that the appellant's supervisor indicated that his primary duty was in the required area because he orders stock contract items and non-contract items.

### CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)2 provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

Initially, Selection Services correctly determined that the appellant did not meet the requirements for the subject examination as he did not clearly describe in his application that his primary responsibility as a Supply Support Technician 2 was to make large scale purchases. However, in accordance with *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties performed in a given position that expands or enlarges on information previously submitted is considered clarifying. Mr. Barrino clarifies that he possesses a buyer's number which is required to make purchases on behalf of the State and that his position consists of primarily making large scale purchases of commodities, equipment, and supplies. Further, the appellant's supervisor has confirmed that his primary responsibility is in the required area. Accordingly, based on the clarification provided in the instant matter, Mr. Barrino has

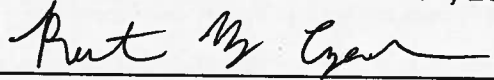
demonstrated that he met the experience requirement for the title under test and should be admitted to the examination.

**ORDER**

Therefore, it is ordered that this 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 4<sup>th</sup> DAY OF FEBRUARY, 2015**



**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: Erskine Barrino  
Kelly Glenn  
Joseph Gambino**



## Job Announcements

Symbol: S0384S Title: **ASSISTANT BUYER**

Issue Date: 05/21/2014

Jurisdiction: STATE

Num. of Positions: 1

Application Fee: \$25.00

Closing Date: 06/11/2014

Salary: \$44,278.38 - \$62,444.79 Per Year

Workweek: 35 Hours per week

**OPEN TO RESIDENTS OF:**

New Jersey

**REQUIREMENTS:**

**EDUCATION:** Graduation from an accredited college or university with a Bachelor's degree.

**Foreign transcripts must be evaluated by a recognized evaluation service. Please upload a copy of your evaluation with your application. Failure to do so will result in ineligibility.**

**EXPERIENCE:** One (1) year of experience in the large scale purchase of commodities, equipment and supplies.

**NOTE:** Applicants who do not possess the required education may substitute additional experience as indicated on a year-for-year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

**LICENSE:** 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 essential duties of the position.

**Customer Care and Technical Support:** If you are having difficulty submitting your application online, customer care and technical support are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please email: [OAS.support@csc.state.nj.us](mailto:OAS.support@csc.state.nj.us) or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

**IMPORTANT INFORMATION:**

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. If the announcement is open to residents of more than one jurisdiction, the eligible list will be ranked according to that residency sequence. Please click here for additional information.
6. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
7. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq) or their claim is approved by DMAVA at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.

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