

B-38



In the Matter of Joseph Lenahan,  
Building Management Services  
Specialist 3 (PS1508K), Department  
of Children and Families

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-2818

Examination Appeal

ISSUED: **MAY 21 2015** (CSM)

Joseph Lenahan appeals the determination of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Building Management Services Specialist 3 (PS1508K), Department of Children and Families.

The examination at issue was announced with specific requirements that had to be met as of the closing date of November 21, 2014 (see attached). The examination was cancelled on May 2, 2015 since the two applicants were found ineligible.

The appellant indicated on his application that he was provisionally serving in the title under test from September 2014 to the closing date, November 21, 2014. From October 2011 to September 2013 he was a Building Services Coordinator 2 and from April 2008 to October 2011 he was a Building Services Coordinator 3. From April 2007 to April 2008 he was a Repairer and from October 2004 to April 2007 he was an Engineering Technician. From October 2002 to October 2004 he was a Supervising Planner and from October 1998 to October 2002 he was an Assistant Traffic Safety Coordinator with Middlesex County. The appellant indicated possession of 12 college credits. Agency Services credited the appellant with three years and six months of experience based on his completed college credits, provisional service in the title under test, and as a Building Services Coordinator 2, but determined that the remainder of his experience constituted out-of-title work. Therefore, the appellant would need an additional two years and six months of the required experience to qualify for the subject examination.

On appeal, the appellant highlights his provisional service in the title under test and his experience since 2008. Additionally, he provides documentation from the appointing authority and Robert Butcavage, Director, Office of Facilities Management, verifying that he was assigned out-of-title duties as a Building Services Coordinator since April 2008 due to business necessity. Therefore, the appellant maintains he is qualified for the subject examination.

*N.J.A.C. 4A:4-2.6(c)* provides that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception.

### CONCLUSION

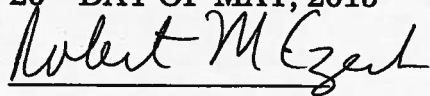
In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was properly credited with three years and six months of experience based on his completed college credits, provisional service in the title under test, and as a Building Services Coordinator 2 and would need an additional two years and six months of the required experience to qualify for the examination. Primarily performing the duties required to establish eligibility for the title under test would be considered out-of-title work for incumbents in the Building Services Coordinator 3 title. However, the Director, Office of Facilities Management and the appointing authority have verified that the appellant performed the required out-of-title duties since April 2008 due to business necessity. Additionally, the examination was cancelled due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause exists to accept the appellant's out-of-title work experience, for eligibility purposes only, and admit him to the subject examination.

### ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, 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  
20<sup>TH</sup> DAY OF MAY, 2015**



**Robert M. Czech  
Chairperson  
Civil Service Commission**

**Inquiries  
and  
Correspondence**

**Henry Maurer-  
Director  
Division of Appeals  
and Regulatory Affairs  
Written Record Appeals Unit  
Civil Service Commission  
P.O. Box 312  
Trenton, NJ 08625-0312**

**Attachment**

- c. Joseph Lenahan  
Linda Dobron  
Kelly Glenn  
Joseph Gambino**

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE  
**PROMOTIONAL ANNOUNCEMENT**



**\$25.00 PROCESSING FEE REQUIRED**  
 Make Check/Money Order Payable to NJCSC

SYMBOL: PS1508K	WEIGHT CODE: *
TITLE: BUILDING MANAGEMENT SERVICES SPECIALIST 3	SALARY: \$51,530.00 - \$72,953.00
ISSUE DATE: November 01, 2014	CLOSING DATE: November 21, 2014
TITLE CODE: S2574/K8R XR2	CLASS CODE: 21
DEPARTMENT: CFA/CHILDREN AND FAMILIES	
UNIT SCOPE: CF55 Facilities	

**ONLY ON LINE APPLICATIONS  
 WILL BE ACCEPTED  
 FOR THIS ANNOUNCEMENT**

**Open to employees in the competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):**

**Building Management Services Specialist 4**

**Or to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:**

**Education:** Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute, in addition to the required experience indicated below, applicable experience on a year for year basis, with thirty (30) semester hour credits being equal to one (1) year of experience.

**Experience:** Two (2) years of experience in the coordination and/or implementation of building management programs including building/property operations analysis, program development, organizational and/or fiscal planning, and/or cost efficiency programs and/or special building service programs, security, or a related field.

A Master's degree in Business Administration, Public Administration or closely related area may be substituted for one (1) year of the experience. You must indicate the details of your Master's degree on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

**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 the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

**IMPORTANT INFORMATION**

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
2. **YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
5. In accordance with Public Law 2010 c.26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq ), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.**
6. **SPECIAL NOTE TO ALL APPLICANTS** Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, **YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.**
7. If you are having difficulty submitting your application online, technical support and customer care 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 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.**

DPF-256A \* Revised 03/09