

B-44



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Josue Suarez,
Network Administrator 1 (PM1047S),
Camden

Eligibility Appeal

CSC Docket No. 2015-1305

ISSUED: **MAY 11 2015** (LDH)

Josue Suarez appeals the determination of the Division of Selection Services¹ (Selection Services) that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Network Administrator 1 (PM1047S), Camden.

The subject examination was announced with a closing date of August 21, 2014 and was open to applicants who possessed a Bachelor's degree, including 18 credits in mathematics and/or computer science; and three years of experience in development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), and/or Wide Area Networks (WAN) environments. Applicants who did not possess the Bachelor's degree, but who did possess the 18 credits in the indicated subject areas, could substitute the remaining education with the indicated experience on a year-for-year basis, with 30 semester hour credits being equal to one year of experience. The examination was cancelled as the only two applicants were deemed ineligible.

On his application, the appellant indicated, in part, that he possessed 49 college credits, which included 18 credits in the indicated subject areas. Therefore, pursuant to the substitution clause, the appellant needed to possess five years and five months of the indicated experience. The appellant also indicated that he served

¹ This function is now part of the Division of Agency Services.

provisionally, pending promotional examination procedures, in the subject title from May 2014 to the closing date; and as a Senior Computer Service Technician from April 2005 to May 2014. Selection Services credited the appellant with one year and seven months for his 49 college credits and four months for his provisional service. However, it determined that although he performed relevant duties as a Senior Computer Service Technician, those duties were out-of-title, and thus not creditable for promotional eligibility purposes.

On appeal to the Civil Service Commission (Commission), the appellant argues that he has the minimum experience for the subject title. He contends that he performed relevant duties while serving in the position of Senior Computer Service Technician. In support, he submits a letter from the Camden Business Administrator, Robert Corrales, who states that the appellant has performed Network Administrator 1 duties since February 2006 as a Senior Computer Service Technician.

Agency records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C. 4A:4-2.6(c)* provides that, except when permitted for good cause, 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.

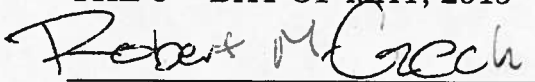
Initially, it is noted that Selection Services correctly determined that the appellant was not eligible for the subject examination as he only possessed one year and eleven months of applicable experience based on his education credits and provisional service. However, on appeal, the appellant submits a letter from the appointing authority stating that he has been performing relevant duties since February 2006. Additionally, the appellant was provisionally appointed to the title under test effective May 26, 2014 and continues to serve provisionally in that title. Accepting the appointing authority's verification that the appellant performed relevant out-of-title duties since February 2006 provides him with more than the required seven years of applicable experience. Moreover, the examination was cancelled since there were no eligible applicants. Accordingly, good cause exists to accept the appellant's out-of-title work experience, for eligibility purposes only, and to admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded and the appellant's application be processed.

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 6TH DAY OF MAY, 2015**



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