

B-74



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Reallocation of Local
Trainee Titles from the Competitive
to the Non-Competitive Division of
the Career Service

CSC Docket No. 2015-2879

Request for Title Reallocation

ISSUED: MAY 08 2015 (CSM)

The Division of Agency Services (Agency Services) recommends reallocation of various local Trainee titles to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*. The titles recommended for reallocation to the non-competitive division are listed in the attachment.

The rationale for reallocating these titles is to provide local appointing authorities with the flexibility needed to more efficiently and quickly meet their hiring responsibilities. Agency Services explains that competitive testing is not practicable due to the nature of the knowledge, skills and abilities associated with these trainee positions. In this regard, none of the titles have experience requirements. Therefore, since potential appointees are required to complete the required 12 month training period, Agency Services recommends that the subject trainee titles be reallocated to the non-competitive division.

Any existing eligibility lists for these titles and any current announcements for which examinations have not been administered will be cancelled upon completion of the reallocation process. Nevertheless, local agencies wishing to do so may recruit and appoint from the cancelled lists. However, resulting appointments will be recorded as regular appointments in the non-competitive division (RAN). Appointment types for existing employees in these title as of the effective date will be handled in accordance with *N.J.A.C. 4A:3-1.2(f)*:

1. 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 non-competitive division.

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, Agency 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, Agency 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.

Agency advises that all local appointing authorities were provided the opportunity to review the proposal and all articulated issues have been reviewed and resolved. 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. In this regard, trainee titles are designed to provide entry level employment to public service. However, competitive testing is not practicable since the knowledge, skills, and abilities associated with a trainee title are evaluated during the mandatory training period. In this regard, appointees would be required to complete both a 12 month training period as well as the required four month working test period prior to attaining permanent status.

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

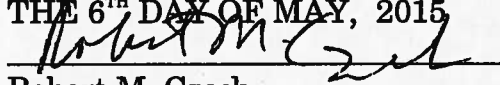
and include all permanent service in the reallocated title. As of the effective date of reallocation, all employees serving provisionally in these affected titles are to be recorded as permanent, pending completion of the required working test period.

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 May 16, 2015.

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


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
All Local Appointing Authorities



MEMORANDUM

DATE: April 7, 2015
TO: Civil Service Commission
FROM: Kenneth Connolly, Director *Kenneth Connolly*
Division of Agency Services
SUBJECT: Change in Classification Plan

LOCAL GOVERNMENT

The Division of Agency Services requests a change in the assignment of the class of service of the following Trainee titles from the Career Service to the Non-Competitive division of the Career Service.

These titles are being reassigned to the non-competitive division of the career service per N.J.A.C. 4A: 3-1.2(c).

The impacted Appointing Authorities were given the opportunity to review this proposal and all articulated issues have been reviewed and addressed.

CHANGE IN CLASS OF SERVICE

Effective date: Changes will be effective the first pay period following the Commission's approval.

FROM

Computer Operator Trainee
01332 Career

Housing Inspector Trainee
02074 Career

Inspector Trainee Mosquito Extermination
07032 Career

Code Enforcement Officer Trainee
07594 Career

TO

Computer Operator Trainee
01332 Non-Competitive

Housing Inspector Trainee
02074 Non-Competitive

Inspector Trainee Mosquito Extermination
07032 Non-Competitive

Code Enforcement Officer Trainee
07594 Non-Competitive

KC/JT/PM