

STATE OF NEW JERSEY

In the Matter of William Mercantini, Administrative Analyst 1 (PS9537P), Juvenile Justice Commission

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-2773

Examination Appeal

JUN 1 8 2015

(WR)

ISSUED:

William Mercantini appeals the determination of the Division of Agency Services (Agency Services) which found that he was below the minimum requirements in experience for the promotional examination for Administrative Analyst 1 (PS9537P), Juvenile Justice Commission (JJC).

The subject examination was announced with a closing date of December 22, 2014 and was open to applicants who possessed a Bachelor's degree and four years of experience in work involving the review, analysis and evaluation of budget, organization, administrative practices, operational methods, management operations or data processing applications, or any combination thereof, which shall have included responsibility for the recommendation, planning, and/or implementation of improvements in a business or government agency. Applicants were permitted to substitute a Master's degree in Public Administration, Business Administration, Economics, Finance or Accounting for one year of experience. Five applicants were admitted to the examination, which was held May 12, 2015. The eligible list has yet to promulgate.

On his application, the appellant indicated that he possessed a Master's of Science in Management degree and that he has served as a Fiscal Officer Community Programs from December 2011 through the closing date; an Assistant Business Manager from November 2010 to November 2011; a Supervisor Regional

¹ In a decision dated May 14, 2015, Agency Services determined that the proper classification of the appellant's position was Administrative Analyst 1, Fiscal Management, effective December 13, 2014. Additionally, agency records indicate that he served in relevant part, as a Supervisor Regional Food Service Program from February 7, 2004 to December 13, 2014 and as an Assistant Supervisor Regional Food Service Program from November 2, 2003 through January 10, 2004.

Food Service Operations from February 2004 to November 2010; an Acting Assistant Supervisor Regional Food Service Operations from January 2003 to February 2004; a Teacher from April 2001 to January 2003; an Institutional Trade Instructor from July 1999 to April 2001 and a proprietor of a deli and catering company from June 1994 to July 1997. As a Fiscal Officer, Community Programs, the appellant indicated that he supervised all aspects of the JJC's Community Program budget and acted as the Business Manager for these programs, which included managing fiscal matters, procurement operations, verifying funding sources for purchase order requests, and making or managing payments for various As an Assistant Business Manager, the appellant stated that he supervised the accounting unit, reviewed financial reports for accuracy, conducted audits, analyzed financial data sets and acted as a liaison with institutional departments regarding procurement needs. As a Supervisor Regional Food Service Operations, the appellant indicated that he supervised spending accounts by "prepar[ing] needed documentation and recommendation for all activities within the fiscal environment," assisted the Manager in the development of spending plans, assisted in the operation of the facilities' juvenile trust and welfare accounts and supervised canteen operations. Finally, as an Assistant Supervisor Regional Food Service Operation the appellant stated that he assisted in the day-to-day operation of a large food service operation. Agency Services credited the appellant with one year of experience for his Master's degree. However, it did not credit his experience in any title. In particular, it determined that, as a Fiscal Officer Community Programs, he was performing out-of-title work which was not related to the subject experience requirement.

On appeal, the appellant notes that he was previously found eligible for the Administrative Analyst 1, Management Auditor (S0915R) examination. In support of his appeal, the appellant submits an October 20, 2014 letter from his supervisor, Kevin Brown, who verified that the appellant performed the duties of an Administrative Analyst from December 2011 and thus supported the appellant's request for reclassification.² Mr. Brown maintained that the appellant's position "manages the functions of the Fiscal and Budget matters for 11 residential group centers as well as the e-trust" for the department's community programs. The appellant also submits a Position Classification Questionnaire (PCQ) in support of his appeal.

It is noted that the subject examination and the examination for Administrative Analyst 1, Management Auditor (S0915R) were announced with different requirements. Specifically, the Administrative Analyst 1, Management Auditor (S0915R) examination was open to applicants who possessed four years of experience in accounting or auditing work involving fiscal analysis and evaluation

² As previously noted, it was determined that the appellant's proper classification is Administrative Analyst 1, Fiscal Management, effective December 13, 2014. The duties and eligibility requirements of an Administrative Analyst 1, Fiscal Management differ from those of the subject examination.

and the review of budgets and management operations for a large government agency or private business.

A review of the job specification for Administrative Analyst 1, Fiscal Management reveals that an individual in that title, under the direction of an executive official in the fiscal management areas in a State department or agency, coordinates and supervises work activities of Administrative Analysts, Fiscal Management of lower grade or other subordinate staff engaged in/responsible for fiscal management activities in planning and conducting management, statistical, organizational, fiscal, performance, and budget analyses of department and/or division programs, and where alternative programs are needed makes evaluations and recommendations as required; does other related duties as required. A review of the job specification for Administrative Analyst 1 reveals that an individual in that title performs duties of significant difficulty and/or supervises staff involved with review, analysis, and appraisal of current department administrative procedures, organization, and performance, and prepares recommendations for changes and/or revision therein.

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 eligibility requirements or for credit in the examination process.

A thorough review of the appellant's application and related material demonstrates that he does not meet the requirements listed on the examination announcement. It is emphasized that, to be eligible for the subject examination, applicants were required to possess four years of the aforementioned experience which shall have included responsibility for the recommendation, planning, and/or implementation of improvements in a business or government agency. The appellant's information provided on appeal indicates that five percent of his duties consist of "mak[ing] recommendations and improvements to current Fiscal operation items as it relates to the Community Program Financial Administration." However, it has been established that in order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. See In the Matter of Bashkim Vlashi (MSB, decided June 8, 2004). Clearly, making, planning or implementing improvements in a business or government agency is not the primary focus of the appellant's duties. Moreover, although the appellant has presented a letter from his supervisor, which indicated that he performed out-of-title "Administrative Analyst" duties, a review of the record reveals that the letter was in support of the

appellant's classification appeal. Additionally, Agency Services determined that the appropriate title for the out-of-title duties performed by the appellant was Administrative Analyst 1, Fiscal Management. Furthermore, the duties of the an individual in the title of Administrative Analyst 1, Fiscal Management, are substantially different than the announced experience requirement in this matter. Regardless, even if the noted duties were relevant, the letter only indicates that the appellant performed such duties from December 2011 through October 2014, which is below the required three years of aforementioned experience even if good cause were presented to accept such experience.³ Therefore, good cause does not exist to accept the appellant's out-of-title work.

Moreover, the Commission observes that the appellant's admittance to the examination for Administrative Analyst 1, Management Auditor (S0915R) has no bearing on the present matter, as the two titles are distinct from one another. Further, it is emphasized that the requirements for each examination are fundamentally different, that each examination is announced as a separate entity, and that eligibility for one examination has no bearing on another. Accordingly, a thorough review of all material presented indicates that the determination of Agency Services, that the appellant did not meet the announced requirements for the subject examination by the closing date, is supported by the record. Therefore, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

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 17th DAY OF JUNE, 2015

Robert M. Czech

Chairperson

Civil Service Commission

³ In order for the Commission to find good cause to accept out-of-title experience, such experience must be verified **and** the examination announcement in question must be non-competitive, meaning there are three or less eligible applicants.

Inquiries and Correspondence

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