



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Carol Canale, Occupational Safety Consultant 2 (PS2833K), Ancora Psychiatric Hospital

Examination Appeal

CSC Docket No. 2015-2953

ISSUED: JA 1 6 2015

(SLK)

Carol Canale appeals the determination of the Division of Agency Services (Agency Services) that she was below the minimum requirements in experience for the promotional examination for Occupational Safety Consultant 2 (PS2833K), Ancora Psychiatric Hospital.

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The examination at issue was announced with specific requirements that had to be met as of the February 21, 2015 closing date (see attached). A total of four employees applied for the subject examination and no one was deemed eligible. Therefore, the examination was cancelled due to a lack of qualified applicants.

On her application, Ms. Canale did not list any college credits. Therefore, she needed six years of applicable experience. With regard to experience, she indicated that she was provisionally serving in the subject title from January 2010 to the February 21, 2015 closing date, an Assistant Housekeeping Supervisor 1 from September 2000 to January 2010, a Manager for A.C. Landscaping from March 1994 to October 2006, a Crew Supervisor Building Maintenance Workers from February 1993 to September 2000, and a Senior Building Maintenance Worker from December 1991 to February 1993. Personnel records indicate that the appellant was provisionally serving in the subject title from January 2010 to the February 21, 2015 closing date, an Assistant Housekeeping Supervisor 1 from June 2004 to January 2010, a Housekeeping Supervisor 1 from April 2004 to June 2004, an Assistant Housekeeping Supervisor 1 from September 2000 to April 2004, a Crew Supervisor Building Maintenance Workers from June 1996 to September 2000, and a Senior Building Maintenance Worker from December 1991 to June 1996. Agency

Services credited the appellant with five years and two months of experience, but determined that she lacked 10 months of experience.

On appeal, Ms. Canale asserts that she has over 15 years of the required experience which includes over five years serving provisionally in the subject title and 10 years as an Assistant Housekeeping Supervisor 1. The appellant presents that she has been an active member of both the Safety and the Employee Accident Committees since 2000. Ms. Canale notes that the Safe Patient Handling Committee has now combined with the Employee Accident Committee. Additionally, Ms. Canale maintains that while serving as an Assistant Housekeeping Supervisor 1, she conducted environmental risk assessments and trained new employees to ensure safety compliance involving the use of cleaning products. Further, the appellant submits her Performance Assessment Review (PAR) for her work as an Assistant Housekeeping Supervisor 1 for the rating cycle ending in 2003 which indicated her major responsibilities included planning to make sure that hospitals are sanitary and met Federal standards, performing employee safety training, and communicating information from safety committees. Ms. Canale also submits PARs for several other years while serving as an Assistant Housekeeping Supervisor 1 which indicated that her participation in committees that discussed safety, accident, and injury issues was one of her major responsibilities.

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. Additionally, 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 Agency Services correctly determined that the appellant was not eligible for the subject examination. However, as an Assistant Housekeeping Supervisor 1, the appellant was assigned out-of-title duties consistent with the title under test. Ms. Canale's PARs confirm that her major responsibilities included meeting Federal cleanliness standards, training employees on safety, attending various safety committees, and communicating information to employees from these various safety committees. Therefore, although Ms. Canale did not primarily perform out-of-title duties, the Civil Service Commission is satisfied that the totality of her out-of-title experience as an Assistant Housekeeping Supervisor 1 as far back as 2000, warrants her admission to the subject examination. Additionally, Ms. Canale continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applicants. Therefore, under these circumstances, good cause exists to accept the

totality of appellant's out-of-title work experience and admit her to the subject examination.

<u>ORD</u>ER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded and Carol Canale'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 15th DAY OF JULY, 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: Carol Canale Alfred Filippini Kelly Glenn Joseph Gambino NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE

PROMOTIONAL ANNOUNCEMENT



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

SYMBOL: PS2833K

TITLE: OCCUPATIONAL SAFETY CONSULTANT 2

ISSUE DATE: February 01, 2015

TITLE CODE: 03944/NSRXR2

DEPARTMENT: HSHA/HUMAN SERVICES
UNIT SCOPE: K350 Ancora Psychiatric Hospital

WEIGHT CODE: *

SALARY: \$53,910.00 - \$76,393.00

CLOSING DATE: February 21, 2015

CLASS CODE: 22

Visit www.state.nj.us/csc And select "Job Announcements" to view this announcement and to file an application

Open 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 additional experience as indicated below on a year for year basis.

Experience: Two (2) years of experience in the identification, analysis, and/or solution of workplace safety hazards involving the application of Federal OSHA and/or nationally recognized safety standards.

Note: Appointees will be required to complete a specialized training course for Compliance Safety and Health Officers conducted by the Occupational Safety and Health Administration. Proof of completion of the training course must be submitted to the appointing authority prior to appointment. The responsibility for ensuring that employees possess the required training course rests with the Appointing Authority.

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-Let 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