

B-7



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE
ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Richard Mulrine,
Assistant Director of Finance
(PM0111T), Hamilton

Examination Appeal

CSC Docket No. 2016-2031

ISSUED: **DEC 22 2016** (SLK)

Richard Mulrine, appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Assistant Director of Finance (PM0111T), Hamilton.

The examination at issue was announced with specific requirements that had to be met as of the February 21, 2015 closing date (see attached). The appellant was the only employee that applied for the examination which was cancelled due to a lack of qualified applicants.

On his application, Mr. Mulrine indicated that he was provisionally serving in the subject title from September 2014 to the February 21, 2015 closing date, a Supervisor of Accounts/Payroll Supervisor from September 2009 to September 2014, and a Payroll Supervisor from May 2008 to September 2009. Personnel records indicate that he was a Supervisor of Accounts from January 2012 to September 2014, a Payroll Supervisor from May 2008 to January 2012, and served in various personnel and clerical positions from June 2000 to May 2008. He also indicated that he possessed a Bachelor's degree. Agency Services credited him with possessing a Bachelor's degree and three months of experience based on his

provisional service in the subject title, but determined that he lacked three years and nine months of experience.¹

On appeal, Mr. Mulrine submits a letter from John Barrett, Director of Finance/CFO, who confirms that the appellant has been performing the required out-of-title duties as a Supervisor of Accounts and Payroll Supervisor since September 2009 due to the restructuring of duties and staffing deficiencies. This resulted in Mr. Mulrine filing a classification appeal with this agency that determined that his position would be properly classified as Assistant Director of Finance.

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 Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant had five months of applicable experience based on his provisional service in the subject title, but lacked three years and seven months of applicable experience to establish eligibility. Any relevant experience the appellant gained as a Supervisor of Accounts and Payroll Supervisor would be out-of-title-work. However, Mr. Barrett confirmed that the appellant performed the required duties as a Supervisor of Accounts and Payroll Supervisor since September 2009 due to business necessity. Moreover, the examination was cancelled due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test. Therefore, under these circumstances, good cause exists to accept his out-of-title work experience while serving as a Supervisor of Accounts and Payroll Supervisor, for eligibility and scoring purposes only, and admit him to the subject examination.

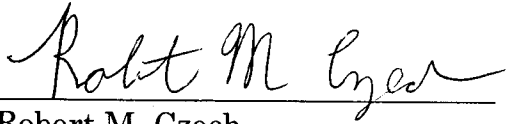
ORDER

Therefore, it is ordered that the appeal be granted, and Richard Mulrine'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.

¹ According to personnel records, the appellant should have been credited with five months of experience based on his provisional service in the subject title prior to the closing date, thus lacking three years and seven months of experience.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 21st DAY OF DECEMBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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: Richard Mulrine
Kelly Yaede
Kelly Glenn
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION
 COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



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

SYMBOL: **PM0111T**

WEIGHT CODE: *

TITLE: **ASSISTANT DIRECTOR OF FINANCE**

SALARY: **\$88,153.00 - \$103,191.00**

ISSUE DATE: **February 01, 2015**

CLOSING DATE: **February 21, 2015**

TITLE CODE: **00482/ N6RLR8**

JURISDICTION CODE: **T11030010**

JURISDICTION: **HAMILTON**

DEPARTMENT: **FINANCE**

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 in Accounting, Budgeting, Finance, Economics, Public or Business Administration. You must indicate the details of your 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.

Note: Possession of a current, valid certificate as a Municipal Finance Officer issued by the NJ Department of Community Affairs, Division of Local Government Services, may be substituted for the above education.

Experience: Four (4) years of supervisory experience in functional areas of financial management such as accounting, budgeting, auditing, or financial or fiscal analysis.

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.

Note: This announcement may be tested via the Management Test Battery (MTB). Under the guidelines of the MTB program, an applicant's score will be retained and applied to subsequent promotional or open competitive announcements for titles tested under this program. For information regarding the Management Test Battery, please refer to our website <http://www.state.nj.us/csc/seekers/about/steps/step7.html>

NOTE: All requirements must be met as of the above closing date, however applications will be accepted up to and including **May 21, 2015**.

Amended 5/1/15

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction department, and satisfying the permanent status requirement.
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-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, 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 (i.e. Police, Fire, Corrections and Sheriff).**
6. **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 of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.**

DPF-256A * Revised 03/09