

B-12



STATE OF NEW JERSEY

In the Matter of Sandra Kelly,
Travel Coordinator, Department of
Law and Public Safety (PS4448P),
Department of Law and Public Safety

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

CSC Docket No. 2017-3860

NOV 16 2017

ISSUED: (WR)

Sandra Kelly appeals the determination of the Division of Agency Services (Agency Services) which found that she was below the minimum requirements in experience for the promotional examination for Travel Coordinator, Department of Law and Public Safety (PS4448P), Department of Law and Public Safety (LPS).

The subject examination was announced with a closing date of February 21, 2017. In relevant part, applicants were required to possess four years of experience making travel arrangements to include: booking or issuing airline tickets, making hotel reservations, arranging car rentals, or mileage and other reimbursements processing, preparing, reviewing, and verifying varied types of fiscal or statistical records. The record indicates that an eligible list containing the name of one individual promulgated on June 1, 2017 and expires on May 31, 2020. Agency records reveal that a certification was issued on July 13, 2017, containing the name of one eligible, who was appointed to the subject position, effective July 22, 2017.

The appellant's application and personnel records indicate that she has served in the subject title with LPS, as a Training Coordinator with the State Parole Board, as a Principal Clerk Typist with Thomas Edison State College and a Senior Clerk Typist with the Department of Environmental Protection. The Division of Agency Services (Agency Services) credited her with experience in the subject title. However, it determined that the relevant duties she performed as a Training Coordinator constituted out-of-title work. It did not credit her for her experience as a Principal Clerk Typist or as a Senior Clerk Typist. Therefore, Agency Services determined that she lacked three years and one month of the required experience as of the closing date and was, therefore, ineligible.

On appeal, the appellant highlights the work she performed in the subject title and asserts that she satisfies the aforementioned experience requirement. In support of her appeal, the appellant submits her Performance Evaluation System (PES) forms from 2008 to 2015, which indicate that she performed travel arrangement duties during this time.

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.

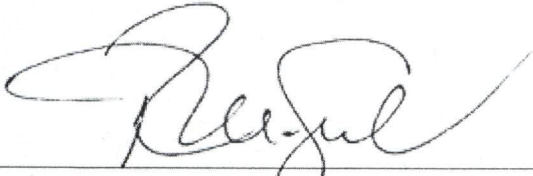
Agency Services determined that the appellant lacked three years and one month of the aforementioned experience needed for the subject examination. However, the appellant, supported by her PES's from 2008 to 2015, argues that she has been performing relevant duties since 2008. Accepting the appellant's performance evaluations, the appellant possessed the required four years of applicable experience. However, all but nine months of the appellant's experience she accumulated before her provisional appointment in the subject title constitutes out-of-title work. In this case, the appellant provides, in relevant part, her PES's from 2008 to 2015, which confirm the performance of applicable out-of-title duties. Additionally, the subject eligible list is currently exhausted, as the only eligible admitted to the examination was appointed. Moreover, the appellant continues to serve provisionally in the subject title. Accordingly, good cause exists to accept the appellant's out-of-title work experience and admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted and Sandra Kelly's application be processed for prospective appointment 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 NOVEMBER, 2017



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