



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Ingrid Fair,
Assistant Buyer (PS7678TN), Motor
Vehicle Commission

CSC Docket No. 2019-1680

Examination Appeal

ISSUED: February 11, 2019 (RE)

Ingrid Fair appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the minimum requirements in experience for the promotional examination for Assistant Buyer (PS7678TN), Motor Vehicle Commission.

The subject examination had a closing date of June 21, 2018 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who met the open competitive requirements. These requirements included graduation from an accredited college or university with a Bachelor’s degree, and one year of experience in the large-scale purchase of commodities, equipment and supplies. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis. As there were no admitted candidates, the examination was cancelled on January 5, 2019.

The appellant indicated that she possessed an Associate’s degree, and her 64 college credits prorated to two years, one month of experience. She listed four positions on her application: provisional Assistant Buyer, Purchasing Assistant, Technician MVC, and Assistant to Manager with Flower Shop of Pennington Market. Official records indicate that the appellant was a Customer Services Representative 4 for a portion of the time that she indicated she was a Technician MVC. The appellant was credited with two years, six months of experience in the first two positions, and she was found to be lacking five months of applicable

experience. On appeal, the appellant submits a more detailed description of her duties for each position.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.


A review of the appellant's application reveals that the decision by Agency Services, denying the appellant's admittance to the subject examination since she does not possess the required experience, was correct. She received credit for her experience as a provisional in the subject title, and as a Purchasing Assistant. However, she could not receive credit for her remaining experience, as the experience did not have the large-scale purchase of commodities, equipment and supplies as the primary focus of the position. Nonetheless, the examination was cancelled, the appellant is still serving as a provisional appointee, and she has accrued at least an additional five months of full-time experience since the June 2018 closing date. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) to accept the appellant's additional experience beyond the closing date and admit her to the examination for prospective appointment consideration.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation be rescinded, and the appellant's application be processed.

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 FEBRUARY, 2019



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