

In the Matter of Reallocation of State, Local and Common Titles from the Competitive to the Non-Competitive Division of the Career Service, Phase 3
CSC Docket No. 2013-1922
(Civil Service Commission, decided February 6, 2013)

The Division of Classification and Personnel Management (CPM) recommends reallocation of various State, Local and Common titles to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*. The titles recommended for reallocation to the non-competitive division are listed in the attachment. CPM also requests consolidation of several local government titles and one State title and their reallocation to the non-competitive division.

The rationale for reallocating these titles is to provide State and local jurisdictions with the flexibility needed to more efficiently and quickly meet their hiring responsibilities. CPM explains that these titles were recommended for reallocation based on two criteria. First, the titles had an education requirement of a high school diploma or less, with no experience requirement and no license requirement. CPM states that the criteria evaluated titles where testing is impractical, difficult to test, or for which it is difficult to recruit. This category also includes titles with a high turnover rate for which it is difficult to generate lists quickly enough to meet the needs of jurisdictions. The second criteria evaluated titles that had no education or experience requirement, but *may* require a government issued license. CPM states that for these titles, the applicant's qualifications have already been established and verification of the license, certification or specialization can be easily accomplished through a post-audit.

Any existing eligibility lists for these titles and any current announcements for which examinations have not been administered will be cancelled upon completion of the reallocation process. Nevertheless, State and local agencies wishing to do so may recruit and appoint from the cancelled lists. However, resulting appointments will be recorded as regular appointments in the non-competitive division (RAN). Appointment types for existing employees in these title as of the effective date will be handled in accordance with *N.J.A.C. 4A:3-1.2(f)*:

1. Permanent employees in that title as of the effective date shall have their appointment types changed to RAN, and shall retain their permanent status in the non-competitive division.
2. Probationary employees in that title as of the effective date shall continue serving their working test periods and, upon successful completion, attain permanent status in the non-competitive division.
3. Provisional employees who remain in that title as of the effective date shall receive regular appointments (RAN) and begin serving their working test period on the effective date.

4. Where it is found that an employee's movement from a non-competitive title to a competitive title could have been effectuated via promotional examination procedures before any title reallocation impacting the employee's title, the Division of Selection Services and Recruitment (Selection Services) will announce a promotional examination, regardless of whether or not the movement after the reallocation constitutes a promotional movement. Similarly, where an employee was previously classified in a competitive title, but, as a result of the title reallocation, is cross-walked into a non-competitive title, Selection Services will process any future promotional movements based on the employee's competitive title before the title reallocation without regard to whether or not the employee's present non-competitive title is approved to promote to a competitive title.

CPM advises that all State and local appointing authorities were provided the opportunity to review the proposal and all articulated issues have been reviewed and resolved. Additionally, State negotiations representatives have been notified and provided with an opportunity to review and comment on the proposal. No comments or objections were received. Further, CPM posted an announcement on this agency's website to provide notice of the plan to reallocate these titles from the competitive to the non-competitive division. Finally, CPM states that the changes specified in this title reallocation will become effective beginning on the first pay period following Commission approval of these actions.

N.J.A.C. 4A:3-1.2 provides, in part, that the Commission may reallocate titles from the competitive to the non-competitive division when competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job or when certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions.

Based on all of the foregoing, ample reasons exist for the reallocation of the proposed titles to the non-competitive division of the career service. It is clearly not practicable to continue to examine for such positions when each title requires possession of a State-issued license, certification or specialization or for those titles where testing is impractical or for which it is difficult to recruit.

Under current Civil Service rules, reallocation of the named titles will result in the granting of permanent status and all attendant Civil Service rights and privileges currently accorded employees in the non-competitive division of the career service. Seniority for any affected permanent employee would be continuous and include all permanent service in the reallocated title. As of the effective date of reallocation, all employees serving provisionally in these affected titles are to be recorded as permanent, pending completion of the required working test period.

ORDER

Based on all of the above, it is ordered that the titles listed in the attachment be reallocated to the non-competitive division. It is further ordered that such action be effective February 9, 2013.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

LOCAL TITLES THAT REQUIRE A HIGH SCHOOL EDUCATION OR LESS/NO EXPERIENCE/NO LICENSE

| TITLE CODE | TITLE NAME |
|-----------------------|--|
| 00001 | Account Clerk |
| 00272 | Apprentice Electrician |
| 00300 | Assessor Trainee |
| 05523 | Assistant Sewage Plant Operator |
| 04743 | Assistant Sludge Plant Operator and Repairer |
| 00783 | Assistant Supervisor of Veterans Internment |
| 00805 | Assistant Veterans Service Officer |
| 00913 | Bridge Repairer |
| 00946 | Bus Attendant |
| 00976 | Cashier |
| 01226 | Childrens Supervisor |
| 01301 | Community Library Assistant |
| 01313 | Community Service Aide |
| 01321 | Community Youth Worker |
| 05332 | Court Aide |
| 01430 | Court Attendant |
| 01672 | Dock Master |
| 06559 | Drafting Technician |
| 01710 | Electricians Helper |
| 01720 | Elevator Mechanics Helper |
| 04731 | Employee Benefits Clerk |
| 01833 | Fire Alarm Operator |
| 01871 | Forestry Aide |
| 01872 | Fork Lift Operator |

LOCAL TITLES THAT REQUIRE A HIGH SCHOOL EDUCATION OR LESS/NO EXPERIENCE/NO LICENSE

| TITLE CODE | TITLE NAME |
|-----------------------|--|
| 07051 | Line Worker Helper |
| 02320 | Mail Clerk |
| 02336 | Maintenance Repairer Electrical Heating and Air Conditioning |
| 02426 | Masons Helper |
| 02591 | Painters Helper |
| 07305 | Parking Enforcement Officer |
| 02615 | Parking Meter Collector |
| 02634 | Payroll Clerk |
| 02685 | Planning Aide |
| 02701 | Plumbers Helper |
| 02720 | Police Communications Clerk |
| 02939 | Pump Room Attendant |
| 02942 | Pumping Station Attendant |
| 02976 | Receptionist |
| 56562 | Records Support Technician 1 |
| 03042@ | Recreation Therapy Aide |
| 03043@ | Recycling Program Aide |
| 05115 | Sewage Plant Attendant |
| 03684 | Sewer Maintenance Inspector |
| 03777 | Stock Clerk |
| 04145@ | Telephone Operator |
| 04455 | Traffic Control Officer |

**LOCAL TITLES THAT MAY REQUIRE A LICENSE
(NO EDUCATION OR EXPERIENCE REQUIREMENT)**

| TITLE CODE | TITLE NAME |
|-----------------------|---|
| 04858 | Assistant Greenskeeper |
| 05479 | Assistant Water Treatment Plant Operator |
| 00974 | Carpenters Helper |
| 02328 | Maintenance Repairer |
| 02374@ | Maintenance Repairer Refrigeration and Air Conditioning |
| 02456@ | Mechanics Helper |
| 02524 | Municipal Court Attendant |
| 02945 | Pumping Station Operator |
| 04673 | Tire Service Repairer |
| 04185@ | Traffic Enumerator |
| 04189 | Traffic Maintenance Worker |
| 04220 | Tree Maintenance Worker 1 |
| 04456 | Tow Truck Operator |

COMMON TITLE, TITLE CONSOLIDATION, & MOVEMENT OF INCUMBENTS:**Effective:** Changes will be effective the first pay period following the Commission's approval.**FROM:**

Bridge Operator
 O14-40350 Career O 40/12

TO:

Bridge Operator
 O14-40350 Career Common 40/12

CHANGE IN CLASS OF SERVICE:**Effective:** Changes will be effective the first pay period following the Commission's approval.**FROM:**

Community Service Aide
 L-01313 Career (C) Local

Payroll Clerk
 L-02634 Career (C) Local

TO:

Community Service Aide
 L-01313 Career (NC) Local

Payroll Clerk
 L-02634 Career (NC) Local

TITLE CONSOLIDATION, & MOVEMENT OF INCUMBENTS:**Effective:** Changes will be effective the first pay period following the Commission's approval.**FROM:**

Community Relations Aide
 L-01304 Career (C) Local

Senior Community Relations Aide
 L-03263@ Career (C) Local

Timekeeper
 L-04167 Career (C) Local

Senior Timekeeper
 L-04684 Career (C) Local

Principal Timekeeper
 L-04699 Career (C) Local

Museum Assistant
 L-02538 Career (C) Local

TO:

Community Service Aide
 L-01313 Career (NC) Local

Senior Community Service Aide
 L-03267 Career (C) Local

Payroll Clerk
 L-02634 Career (NC) Local

Senior Payroll Clerk
 L-03496 Career (C) Local

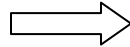
Principal Payroll Clerk
 L-02831 Career (C) Local

Museum Attendant
 L-02539 Career (NC) Local

Psychiatric Technician
L-02903 Career (C) Local

-AND-

Psychiatric Aide
L-02896 Career (C) Local



Institutional Attendant
L-02111 Career (NC) Local

Sidewalk Inspector
L-03703 Career (C) Local

Public Works Inspector
L-02933 Career (C) Local