



STATE OF NEW JERSEY

In the Matter of Debra Compton,
Assistant County Engineer
(PC3033E), Monmouth County

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

CSC Docket No. 2024-570

Examination Appeal

ISSUED: November 1, 2023 (SLK)

Debra Compton appeals the determination of the Division of Agency Services (Agency Services) that the promotional examination for Assistant County Engineer (PC3033E), Monmouth County was not a promotion.

The subject promotional examination had a closing date of June 21, 2023. The education requirements were a bachelor’s degree in Civil, Mechanical, or Electrical Engineering. The experience requirements were two years of supervisory engineering experience in the design, maintenance, and construction of projects including preparation and review of construction plans and specifications. A total of four employees applied for the subject examination and two were determined eligible. Certification PL231736 was issued containing the names of two eligibles. Its disposition is due December 5, 2023, and the list expires on August 30, 2026.

On appeal, while the appellant acknowledges that this agency assigns class codes that indicate that her permanent title of Traffic Engineer is a lateral title to the Assistant County Engineer title, she presents that it represents a promotion for Monmouth County employees. She states that County Engineer is the highest level Engineer, and the Assistant County Engineer is the “second in command” of the Engineering Department. The appellant indicates that as a Traffic Engineer, she only oversees the Traffic Division of Engineering. Therefore, she provides that while Traffic Engineer is a high-level supervisory title, the Assistant County Engineer and the County Engineer positions are the top two administrative positions of the

Engineering Department. She understands that she could receive a lateral appointment as an Assistant County Engineer. However, the appellant states that the County Engineer indicated to her that it was his intention to select a candidate from the subject Assistant County Engineer promotional eligible list. She asserts that her ineligibility for the subject examination is negatively impacting her opportunity to advance in her career. Therefore, she requests that Traffic Engineer and Assistant County Engineer be reclassified so that Assistant County Engineer represents a promotion for incumbents in the Traffic Engineer title. The appellant believes that this issue not only impacts Monmouth County, but also other counties since Assistant County Engineer is an administrative position, and therefore, represents a promotion from Traffic Engineer. In the alternative, she requests a one-time rule relaxation so that she can be determined eligible for the subject examination.

CONCLUSION

N.J.A.C. 4A:1-1.3 defines a promotion in local service as an advancement in title. To determine such advancement, each title is assigned a class code. To be considered a promotion, a title must have a higher class code than the former title.

N.J.A.C. 4A:4-7.6(a) provides that a lateral title change is the movement of a permanent employee from his or her permanent title to an equivalent title within the same organizational unit. *N.J.A.C.* 4A:4-7.6(d) provides that a lateral title change shall require the consent of the employee, the head of the organizational unit, and the approval of the Chairperson or designee.

N.J.A.C. 4A:4-2.6(a) indicates that all requirements in a promotional announcement must be met as of the closing date. *N.J.A.C.* 4A:4-6.3(b) provides, in pertinent part, that the appellant shall have the burden of proof in examination appeals.

In this matter, Agency Services correctly determined that the appellant was not eligible for the subject examination as the subject title was not a promotion for her. Specifically, a review of official personnel records indicates that the appellant has permanent status in the title of Traffic Engineer, which has a designated class code of 32. However, the Assistant County Engineer title is also designated as class code 32. A class code is a designation assigned to job titles in local government with ranking based upon an evaluation of job content, experience and education. Thus, because the appellant is in a permanent title that has the same class code as the title under test, the subject title does not represent a promotion, but rather a lateral move, and she, therefore, is not eligible for the promotional examination announcement. *See In the Matter of Maylin Carmona* (CSC, decided September 1, 2021).

Concerning the appellant's statements that the Assistant County Engineer should be reclassified to a higher class code than Traffic Engineer because it is the second highest administrative position in the Monmouth County Engineering Department, a review of the job specifications indicates that both titles require a bachelor's degree in engineering. Additionally, both titles require two years of supervisory experience. Therefore, there does not appear a basis to consider reclassifying Assistant County Engineer to a higher class code than Traffic Engineer. Regarding the appellant's request for a rule relaxation to determine her eligible for the subject examination despite that fact that it does not represent a promotion, the purpose of title classification is not to provide a career path, but rather to ensure titles are classified in the most appropriate class code available within the classification plan. Moreover, while the appellant argues that her ineligibility for the subject examination is negatively impacting her career advancement opportunities, as she acknowledged, Monmouth County could request a lateral title change to move her from her permanent title of Traffic Engineer to Assistant County Engineer under *N.J.A.C. 4A:4-7.6*. However, apparently, Monmouth County, in its discretion, is not currently interested in doing so.¹

ORDER

Therefore, it is ordered that this appeal be denied.

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 1ST DAY OF NOVEMBER, 2023

Allison Chris Myers

Allison Chris Myers
Chairperson
Civil Service Commission

¹ It is also noted that, even if the appellant were on the subject eligible list, she would not have a vested entitlement to appointment, as the only interest an eligible on a list possesses is consideration for appointment for as long as the list is effective.

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