



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Simeon
Cumberbatch, Personnel Director
(M0820T), Hackensack

CSC Docket No. 2016-3553

Examination Appeal

ISSUED: ~~OCT~~ 19 2016 (WR)

Simeon Cumberbatch appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the requirements for the open competitive examination for Personnel Director (M0820T), Hackensack.

The examination, in part, was announced with a closing date of November 13, 2015 and required possession of a Bachelor's degree and five years of supervisory personnel experience, two years of which shall have included responsibility for a major public or private industry personnel program including review of classification problems and wage studies, handling personnel problems, and coordination of the training needs of the jurisdiction. Applicants were permitted to substitute a Master's degree in Personnel Administration, Applied Psychology or a related field for one year of the indicated supervisory experience. The examination was cancelled on April 15, 2016, as all eight applicants were found ineligible.

On his application, the appellant indicated that he possesses a Master's degree in Human Resources Training and worked as a Police Investigator and as a Police Captain. Agency Services credited the appellant with one year of supervisory experience for his Master's degree. However, it did not find his prior experience to be applicable. It is noted that in the resume he submitted with his application, he did not list responsibility for a personnel program as a duty he performed in any of the titles he has worked. As a result, Agency Services determined that the appellant lacked the required experience as of the closing date and was, therefore, ineligible.

On appeal to the Civil Service Commission (Commission), the appellant claims that his supervisory experience as a Police Lieutenant and Police Captain satisfies the experience requirement. In this regard, he claims that supervisory personnel duties were the primary focus of his position. Citing the job descriptions for Police Lieutenant and Police Captain, the appellant states that he was responsible for "specialized supervisory police duties" and required to possess "knowledge of the problems and procedures involved in working out the internal organization and formulating rules and regulations for the police department." The appellant further contends that he was "regularly involved in all aspects of departmental personnel matters including compensation/wage issues and classification/job responsibilities." The appellant claims that he also performed similar duties as a Police Investigator for the Port Authority. Finally, the appointing authority, represented by Raymond Wiss, Esq., supports the appellant's appeal.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

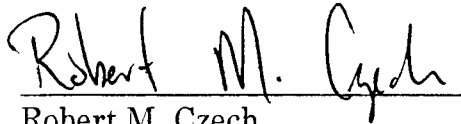
To be eligible for the subject examination, applicants, in relevant part, had to possess five years of supervisory personnel experience, two years of which shall have included responsibility for a major public or private industry personnel program including review of classification problems and wage studies, handling personnel problems, and coordination of the training needs of the jurisdiction. Agency Services determined that the appellant was ineligible because he lacked all but one year of such experience. While the appellant may have more than five years of general supervisory experience, he has not demonstrated that he reviewed classification problems and wage studies, handled personnel problems, and coordinated the training needs of his Police Department. Rather, it appears that the appellant supervised Police Officers in a Police Department. Although such supervision may have included such tasks as coordinating training and handling personnel problems, the appellant has not indicated that he was primarily responsible for administering a major public or private industry personnel program as a whole. As noted above, the appellant did not indicate that he performed such duties on his application or on the resume he submitted. Accordingly, the appellant has failed to meet his burden of proof in the matter and a sufficient basis exists in the record to support Agency Services' determination that the appellant is ineligible for the Personnel Director (M0820T), Hackensack examination.

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 19th DAY OF OCTOBER, 2016



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