



STATE OF NEW JERSEY

In the Matters of Supervising Family
Service Specialist 2 (PS1035K),
Supervising Family Service Specialist
2 (Bilingual in Spanish and English)
(PS1036K), Supervising Family
Service Specialist 1 (PS1032K),
Supervising Family Service Specialist
1 (PS1015K), and Family Service
Specialist 1 (PS2267K), Department
of Children and Families

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

Examination Appeals

CSC Docket Nos. 2017-313 *et al.*

ISSUED: **OCT 24 2018** (EG)

Various applicants appeal the determinations of the Division of Agency Services (Agency Services) which found that they were not eligible for the promotional examinations for Supervising Family Service Specialist 2 (PS1035K), Supervising Family Service Specialist 2 (Bilingual in Spanish and English) (PS1036K), Supervising Family Service Specialist 1 (PS1032K), Supervising Family Service Specialist 1 (PS1015K), and Family Service Specialist 1 (PS2267K), Department of Children and Families (DC&F) because they applied for the incorrect examination or were not employed in the announced unit scopes.

The promotional examinations for PS1035K, PS1036K, PS1032K and PS1015K were announced with a closing date of May 23, 2016. The promotional examination for PS2267K was announced with a closing date of November 21, 2015. Applicants for the PS1035K, PS1036K, PS1032K and PS2267K examinations were required to be serving in the DYFS Area and Local Offices (CF60) unit scope as of the announced closing date. A total of 1,027 candidates were found eligible for the PS1035K examination, 213 candidates were found eligible for the PS1036K examination, 517 candidates were found eligible for the PS1032K examination and 860 candidates were found eligible for the PS2267K examination. The PS1015K examination was open to applicants in the Central Operations (CF57) unit scope who met the announced requirements and 13 candidates were found eligible for this examination. Several applicants erroneously applied for the promotional examination for Supervising Family Service Specialist 2 (PS1011K), which was only open to employees serving in the DYFS Central Office Field Support (CF52) unit scope, but intended to apply for PS1035K because they are assigned to unit scope

CF60. The PS1035K, PS1036K, PS1032K and PS1015K examinations were scheduled for October 15, 2016. The PS2267K examination was held on June 18, 2016 and an eligible list promulgated on July 28, 2016 with 860 eligibles and expires on July 27, 2019. It is noted that only "on-line" applications were accepted for the subject announcements.

Agency Services' review of the appellants' applications and employment records revealed that with the exception of Jennifer Ambis and Dana Patire, they were not employed in the unit scopes for the announcements to which they applied. Therefore, the appellants were deemed ineligible because they were not employed in the unit scope to which the particular examination was announced open. With respect for Ambis and Patire, they applied for the PS1032K examination, and they were serving in the announced unit scope, but were found to be below the minimum requirement in experience. Therefore, they were deemed ineligible for the examination.

On appeal, the appellants generally state that they inadvertently applied for the wrong examination symbol. The majority of the appellants indicate that they erroneously applied for the wrong examination when they intended to apply for the examination that was announced to their unit scope. Further, several appellants indicated that they inadvertently applied for the wrong symbol due to various distractions in their lives during the examination filing period. Ambis and Patire state that due to clerical errors, they applied for the wrong promotional examination and request that their applications for PS1032K be applied to PS1035K.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides, in pertinent part, that applicants for promotional examinations be currently serving in the announced unit scope in a title to which the examination is open and meet all other requirements contained in the announcement.

N.J.A.C. 4A:4-6.3(b) states, in pertinent part, that the appellant has the burden of proof in examination and selection appeals.

In the matter at hand, Agency Services correctly determined that appellants were not eligible for the subject promotional examinations. The examination announcements advised all applicants to make sure that they are assigned to the unit scope indicated on the announcement and that if they did not know their unit scope assignment, to contact the Human Resources Office at DC&F. It also indicated that if an application was filed for a specific announcement and the applicant is not assigned to the indicated unit scope on the announcement, they would be found ineligible for the examination. Further, all of the subject announcements advised applicants that only on-line applications would be accepted. When filing for a specific

promotional announcement utilizing the on-line application system, the first screen that appears *before* an applicant can proceed to fill out their application consists of a large red STOP sign and indicates:

You must work for:

Department: CHILDREN AND FAMILIES

Unit: [Specific unit scope for announcement]

to meet the first eligibility requirement of this announcement.

If you do not meet this requirement and choose to file an application, you will be found ineligible and your application fee will not be refunded.

Finally, after completing the on-line application, applicants are sent an automatic e-mail confirming that their application has been received by this agency and listing, among other things, the title name, *promotional symbol*, closing date, and jurisdiction for the promotion.

Notwithstanding all of the information provided to the appellants regarding the importance of filing promotional applications for the appropriate unit scopes, for various reasons, the appellants erroneously applied for promotional opportunities in unit scopes to which they are not assigned. None of the explanations provided by the appellants are remotely sufficient enough to overcome the various warnings the were provided regarding applying for the examination in their unit scope. Indeed, while the Civil Service Commission (Commission) has granted remedies for this type of situation in the past, it is absolutely clear in this case that all of the appellants were provided fair notice to ensure that they were serving in the correct unit scope before they could proceed with the application process. *See In the Matter of Supervising Family Service Specialist 2 (PS6691K), et al.* (CSC, decided July 17, 2013). The disregard of the numerous warnings will not be rewarded by the Commission by allowing the appellants to take the proper examination in their correct unit scope. Similarly, it is axiomatic that an individual applying for a higher level position to know what position he or she is applying for before submittal of an application. Thus, while it is unfortunate that Ambis and Patire erroneously applied for a title that they did not seek, it is their responsibility to ensure their applications are correct before submittal. Indeed, the record indicates that over 2,000 applicants properly followed the announced procedures and correctly applied for the examination in their unit scope. Moreover, the Commission notes that four of the five subject symbols are for supervisory titles. In this regard, the Commission is disturbed that many of the appellants in the present matter were applying for supervisory positions and are seeking relief after failing to follow the clearly and

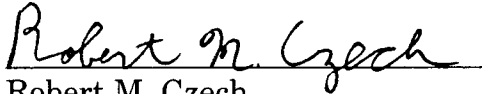
repeatedly provided procedures for filing an application in the correct unit scope. Accordingly, based on the foregoing, these appeals are denied.

ORDER

Therefore, it is ordered that these appeals 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



Robert M. Czech
Chairperson
Civil Service Commission

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and
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c: Appellants listed in Attachment "A"
The Honorable Holly Schepisi
Kelly Glenn
Records Center
Linda Dobron

Attachment "A"

Abdullah, Swiyaa (Docket No. 2017-977)
Adedokun, Babatunde (Docket No. 2017-704)
Ambis, Jennifer (Docket No. 2017-871)
Baptise, Ougeri (Docket No. 2017-659)
Carmean, Lynn (Docket No. 2017-1025)
Couch, Carole (Docket No. 2017-874)
DeMaio, Ashley (Docket No. 2017-870)
Estremera, Marta (Docket Nos. 2017-732 and 2017-733)
Glenn, Tysheria (Docket No. 2017-875)
Gold, Jessica (Docket No. 2017-663)
Hollis-Lewis, Antoinette (Docket No. 2017-921)
Iglesias, Stephanie (Docket No. 2017-820)
King, Tawanda (Docket No. 2017-838)
Kirkland, Tamarra (Docket No. 2017-313)
Mayo, Carl (Docket No. 2017-817)
McGonagle, Corie (Docket No. 2017-1026)

Muir, Lorraine (Docket No. 2017-815)
Nieves, Denise (Docket Nos. 2017-778 and 2017-779)
Patire, Dana (Docket No. 2017-770)
Pinkney, Adam (Docket No. 2017-948)
Sessions, Darlene (Docket No. 2017-843)
Winfrey, Vamicka (Docket No. 2017-837)