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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Examination Appeal

In the Matter of Kevin Chao, Administrative Analyst 3 Information Systems (PS0002K), Department of Human Services

CSC Docket No. 2016-3439

ISSUED: DEC 13 2016 (RE)

Kevin Chao appeals the determination of the Division of Agency Services that found that he did not meet the experience requirements for the promotional examination for Administrative Analyst 3 Information Systems (PS0002K), Department of Human Services.

The subject examination announcement was issued with a closing date of December 21, 2015, 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 the title Administrative Analyst 2 Information Systems OR to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the titles Software Development Specialist 1 or Information Technology Specialist and who met the open-competitive requirements below OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date and who met the announced requirements. These requirements included possession of a Bachelor's degree from an accredited college or university, and three years of experience in work involving the review, analysis and evaluation of the administrative, business, and/or operational policies, procedures, practices, and processes and/or the technological requirements of an organization for the purpose of revising/enhancing existing Information Systems and/or developing/acquiring and implementing new IT solutions and services. Applicants who did not meet the education requirement could substitute experience on a year-for-year basis, with thirty semester hour credits equal to one year of experience. A Master's degree in Public Administration, Business Administration, Computer Science, Information Technology, Software

Engineering, Information Security, Network Administration, or Database Management from an accredited college or university could be substituted for one year of experience. The appellant was found to be below minimum requirements in experience. It is noted that four candidates appeared on the resultant eligible list, which was certified once, and two appointments have been made.

The appellant indicated that he possessed a Bachelor's degree and he listed four positions on his application; Software Development Specialist 1, Consultant with Kon Tai Repair, Inc., Lead Contractor with Bristol Myers Squibb from September 2008 to July 2009 (full-time, overlaps for five months with position 4), and Helpdesk/Software Developer (full-time) with the Department of Environmental Protection from September 2007 to January 2009. Official records indicate that the appellant was a Student Intern TES from December 2007 to April 2009. He was credited with one year, five months of experience in the fourth position, and therefore he was found to be lacking one year, seven months of qualifying experience.

On appeal, Mr. Chao argues that his six years of experience in the Software Development Specialist 1 title should have qualified him for the examination. Commission staff responded that the first three positions were inapplicable as they did not have the announced experience requirement as the primary focus. His duties in the first position, as a Software Development Specialist 1 IT, were supportive in nature and did not involve the review, analysis, and evaluation of the technological requirements of an organization for the purpose of revising/enhancing existing information systems and/or developing/acquiring and implementing new IT solutions and services. His experience in the second and third positions was clearly inapplicable.

The appellant replied that his Software Development Specialist 1 duties are not supportive. He states that the Application Development and Support Unit provides in-house customized solutions, and that he has been involved in the full development cycle including planning, design, programming and post production support. He provides additional duties from his resume, and asks for confirmation that this is the same version on the online application system.

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.

CONCLUSION

Applicants must demonstrate on their applications that the duties they perform provide them with the experience required for eligibility. *See In the Matter of Charles Klingberg* (MSB, decided August 28, 2001). In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in

the areas required in the announcement. See *In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). An incumbent in the subject title is primarily an Administrative Analyst who performs work involving the review, analysis and evaluation of organization and administrative practices. The Information Systems variant of this title provides the reason for these responsibilities, namely, the need for revision or implementation of Information Systems. The variant portion of the job title does not describe the focus of the duties, but is the purpose of the duties and the area of work.

First, it must be noted that the appellant did not provide a copy of his resume with his application. Next, the duties that he provided for his Software Development Specialist 1 position in his second letter on appeal include responsibilities that were not provided on his application. On his application, the appellant indicated that the duties of this position were implementation and post-implementation support of major interactive web-enabled applications, and maintenance and production support to existing applications. In his resume, the appellant indicated that he designed and developed databases, programs, and systems, and provided other supportive activities. Nevertheless, the primary focus of the position was not the review, analysis and evaluation of the administrative, business, and/or operational policies, procedures, practices, and processes and/or the technological requirements of an organization *for the purpose of* revising/enhancing existing Information Systems and/or developing/acquiring and implementing new IT solutions and services. The appellant may have been revising/enhancing existing Information Systems and/or developing/acquiring and implementing new IT solutions and services, but this was not the totality of the experience requirement. This is the purpose or reason for reviewing, analyzing and evaluating the administrative, business, and/or operational policies, procedures, practices, and processes and/or the technological requirements of an organization. The appellant's duties as a Software Development Specialist 1 are inapplicable. His positions as a Consultant and a Lead Contractor are also inapplicable. The appellant lacks one year, seven months of required experience.

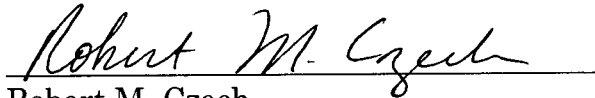
An independent review of all material presented indicates that the decision of the Division of Agency Services, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

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 7th DAY OF DECEMBER, 2016



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