



**STATE OF NEW JERSEY**

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

In the Matter of Gary Barnes,  
Substance Abuse Counselor 2, Mental  
Health/Alcoholism Services  
(S0828U), Statewide

Examination Appeal

CSC Docket No. 2017-2876

**CORRECTED**

**ISSUED:** November 9, 2017 (ABR)

Gary Barnes appeals the determination of the Division of Agency Services (Agency Services), which found that he did not meet the experience requirement for the open competitive examination for Substance Abuse Counselor 2, Mental Health/Alcoholism Services (S0828U), Statewide.

The subject examination was announced with specific requirements that had to be met as of the November 14, 2016 closing date, including two years of applicable experience (see attached). A total of 54 applicants applied for the subject examination that resulted in a list of 28 eligibles with an expiration date of June 14, 2020.

On his application, the appellant indicated that he served provisionally in the subject title from September 2015 to the closing date (November 2016). Agency Services credited the foregoing one year and two months of experience as applicable experience for the subject examination. However, the appellant did not indicate that he possessed any other applicable experience. Therefore, Agency Services deemed him ineligible for the subject examination because he lacked an additional 10 months of the required applicable experience.

On appeal, the appellant acknowledges that he “may have missed documenting [his] years of work experience and attaching a resume” while filling out his application for the subject examination, but he argues that he possessed sufficient applicable experience as of the closing date. Specifically, the appellant contends that he has more than 15 years of experience providing counseling services

to individuals with chronic substance abuse and/or mental health issues and he submits a copy of his resume that details his prior employment.

Anne S. Kenyon, the appointing authority for the Ann Klein Forensic Center (Ann Klein) submits a letter of support in which she contends that the appellant possesses sufficient applicable experience for the subject examination. In that regard, she proffers that Ann Klein verified that the appellant possessed more than two years of applicable experience prior to provisionally appointing him to the subject title in September 2015.

### CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)(2) provides that applicants must meet all requirements specified in an open competitive examination announcement by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. That is, any documentation indicating work in any setting that was not previously listed on an application or resume cannot be considered after the closing date. See *In the Matter of Joann Burch, et al.* (MSB, decided August 21, 2003) and *In the Matter of Rolanda Alphonso, et al.* (MSB, decided January 26, 2005).

In the instant matter, Agency Services correctly determined that the appellant was ineligible for the subject examination because the one year and two months of experience he listed in his application was less than the two years of applicable experience required for applicants as of the November 14, 2016 closing date. While the appellant indicates on appeal that he possessed additional experience as of the closing date, such additional information is considered an amendment to his application for the subject examination, which, pursuant to *N.J.A.C.* 4A:4-2.1(f), cannot be considered after the closing date. However, the appointing authority supports the instant appeal. Therefore, good cause exists to relax *N.J.A.C.* 4A:4-2.1(f) and admit the appellant to the subject examination. However, the remedy provided by this decision is limited to the specific facts of this case and shall not be used as precedent in any other proceedings.

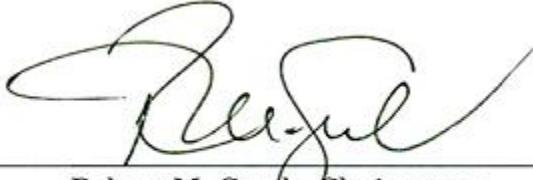
Finally, the appellant is cautioned that in the future he must describe his experience accurately in his application, as his failure to do so may result in his ineligibility for a prospective examination.

### ORDER

Therefore, it is ordered that this appeal be granted and the appellant be provided with a make-up examination as soon as possible. If the appellant achieves a passing score, his name should be added to the subject list for prospective employment opportunities only.

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 1<sup>ST</sup> DAY OF NOVEMBER, 2017



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Robert M. Czedz, Chairperson  
Civil Service Commission

Inquiries  
and  
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Attachment

c: Gary Barnes  
Anne S. Kenyon  
Kelly Glenn  
Michelle Karngbaye  
Michael Johnson  
Records Center

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Symbol: [S0828U](#)

Title: [SUBSTANCE ABUSE COUNSELOR 2 MENTAL HEALTH/ALCOHOLISM SERVICES](#)

Issue Date: 10/24/2016

Closing Date: 11/14/2016

Jurisdiction: STATE

Salary: \$53,910.34 - \$76,393.06 Per Year

Num. of Positions: 3

Workweek: 35 Hours per week

Application Fee: \$25.00

## **OPEN TO RESIDENTS OF:**

New Jersey

## **REQUIREMENTS:**

**CERTIFICATION:** Applicants must possess a certificate as a Certified Alcohol and Drug Counselor (CADC), issued by the Board of Marriage and Family Therapy Examiners, New Jersey Division of Consumer Affairs, Department of Law and Public Safety. Please upload a copy of your certificate with your application. Failure to do so will result in ineligibility.

Applicants who possess the credentials as a Licensed Clinical Alcohol and Drug Counselor (LCADC) are considered to have met the above certification requirements. Please upload a copy of your license with your application. Failure to do so will result in ineligibility.

**EXPERIENCE:** Two (2) years of experience in mental health or alcoholism counseling or social work having the responsibility for gathering and analyzing social or health information from clients, the determination of their needs and the planning and carrying out of a treatment plan geared to the needs of individual clients, one (1) year of which shall have included direct experience with persons addicted to alcohol in an alcohol treatment, prevention and/or rehabilitation program.

**LICENSE:** Appointee will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle, rather than employee mobility, is necessary to perform the essential duties of the position.

**Customer Care and Technical Support:** If you are having difficulty submitting your application online, customer care and technical support are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please email: [OAS.support@csc.state.nj.us](mailto:OAS.support@csc.state.nj.us) or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

## **IMPORTANT INFORMATION:**

1. [NJAC 4A:4-2.3\(b\)](#) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**

4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
  5. Effective September 1, 2011, the New Jersey First residency law was enacted. Please [click here](#) for additional information.
  6. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq). Those claiming Veteran's Preference but have not yet received approval from DMAVA must pay the full application fee and may request a refund if the claim is approved at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.
  7. Application fees submitted via personal check or money order must be postmarked within **five (5) business** days of submitting your application. If your fee is postmarked after five (5) business days, or is returned as invalid, you will be declared ineligible and denied admittance to the examination process.
- [Read Description of Job and Specification:63115C](#)
  - [Click here to apply via the Online Application System](#)

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