



STATE OF NEW JERSEY

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

In the Matter of Chanique Bethea,
Technical Program Assistant
(PS5178P), Department of Law and
Public Safety

Examination Appeal

CSC Docket No. 2018-1114

ISSUED: APRIL 2, 2018 (SLK)

Chanique Bethea appeals the determination of the Division of Agency Services (Agency Services) that she was below the minimum requirements in experience for the promotional examination for Technical Program Assistant (PS5178P), Department of Law and Public Safety.

The examination at issue was announced with specific requirements that had to be met as of the June 21, 2017 closing date. The requirements were five years of experience in work involving the application of rules, regulations, procedures, or policies in the processing of technical actions. Additionally, applicants who did not possess the required experience could have substituted semester hour credits from an accredited college or university on a year-for-year basis with 30 semester hour credits being equal to one year of experience, substituting to a maximum of four years. A total of three employees applied for the subject examination which resulted in a list of one eligible with an expiration date of October 4, 2020. Certification PS171725 was issued containing the name of the one eligible and is pending disposition.

On her application, the appellant indicated that she possessed 69 college credits. Further, she indicated that she was provisionally serving in the subject title from April 2017 to the June 21, 2017 closing date, a Head Clerk from March 2016 to April 2017, a Data Entry Operator 2 from May 2013 to March 2016, and held various other clerical positions in State service from December 2005 to May 2013. Agency Services credited the appellant with three years and eight months of

experience based on crediting her for two years and four months of experience for her 69 college credits and one year and four months of experience for her provisional service in the subject title and her experience as a Head Clerk. However, it determined that she lacked one year and four months of the required experience.

On appeal, the appellant submits a letter from Lieutenant Kenneth Jones, Assistant Bureau Chief, Criminal Justice Records Bureau (Bureau), describing how the appellant has worked on the Uniform Crime Reporting (UCR) program for over 10 years acting as a liaison between law enforcement agencies and this program. Additionally, Lieutenant Jones presents that the appellant is involved in the Bureau's transition to a new reporting system and is the "go to person" for the UCR. Lieutenant Jones indicates that the appellant is directly involved in all the planning and implementation decisions related to this program including developing standard operating procedures, training, supervising vendor maintenance and repairs, and all other technical aspects of the program. Further, the appellant describes in detail all the worked that she performed as a Data Entry Operator 2 that involved the application of procedures and policies in the processing of technical actions for the UCR and other software programs.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process.

Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. Based on the appellant's college credits and her provisional experience in the subject title and experience as a Head Clerk, she had three years and eight months of experience, but lacked one year and four months of the required experience. Any applicable experience the appellant gained as a Data Entry Operator 2 would be out-of-title work. However, Lieutenant Jones confirmed that the appellant performed the required duties as a Data Entry Operator 2 from May 2013 to March 2016. Moreover, the list is incomplete as there is only one eligible on the list and the appellant continues to serve provisionally in the subject title. Accordingly, good cause is established to accept the appellant's Data Entry Operator 2 out-of-title work experience, for eligibility purposes only, and admit her to the subject examination.

ORDER

Therefore, it is ordered that the appeal be granted and Chanique Bethea's application be processed 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 27th DAY OF MARCH, 2018



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