

Legislative Aide, President of D. & H. Petroleum (a service station); Owner of J. & R. Photo; and Vice President of J. Ram Trading. None of her experience was acceptable as a substitute for education, and she was found to be below the minimum requirements in education.

On appeal, the appellant indicates that she possesses a Master's degree and has accrued required experience since 2007. In addition, she provides a copy of the Evaluation of her foreign degree, which states that her education is equivalent to a Bachelor's and a Master's degree in Political Science. She also submitted a letter from the Director of the Department of Human Services for Union County which describes her education and her work abilities.

Commission staff responded that the job announcement clearly states in bold letters **"NOTE: Foreign transcripts must be evaluated by a recognized evaluation service. Please upload a copy of your evaluation with your application. Failure to do so will result in ineligibility."** Page 20 of the on-line application guide indicates that foreign degree evaluations are to be submitted either on-line or by mail, and provides further instructions. Page 23 tells candidates to carefully review the announcement to see if additional documentation is needed. To proceed to the payment section, candidates must certify that their application is complete and accurate. On the Civil Service Commission website, the Job Seekers section includes a segment on Nine Steps to a New Career. Step 2 explains job requirements and provides addresses for five evaluation services for foreign transcripts. It states, "Submit a copy of the evaluation with each application that requires a college degree or credits." It was explained that the appellant did not follow these instructions and she was asked to please check to ensure that her future applications are properly filled out and all required documentation is submitted. A second review of her duties did not find that the primary focus of any of her positions matched the required experience.

In response, the appellant replied that she had been admitted to a Human Services Specialist 1 examination in the past, and she assumed that a foreign degree evaluation would be kept on file.

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

CONCLUSION

The appellant was correctly deemed to be ineligible for the subject examination on the basis of not meeting the education requirements. The announcement clearly indicated that candidates must meet the requirements, and that failure to provide a foreign degree evaluation would result in ineligibility. This was not an ambiguous statement, and the announcement does not state that prior

possession of a transcript evaluation would waive the current requirement. The instructions on the announcement are very clear and were repeated in the instructions for completing an online application, and on the Commission's website. The appellant was required to submit a foreign degree evaluation by the closing date, February 26, 2015. Her foreign degree evaluation was submitted on May 20, 2012, but for a prior examination announcement. This is very competitive examination, with 127 candidate names on the eligible list.

A review of the appellant's duties for each listed position reveals that none of them have, as the primary focus, performing investigations or making determinations or recommendations relating to eligibility or qualifications of applicants for loans, insurance, credit, or entitlement to cash awards, financial benefits or adjustment and settlement of insurance claims.

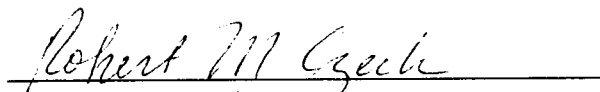
A thorough review of appellant's application reveals that the determination of DAS, denying appellant's admittance to the subject examination due to the fact that she did not possess the announced requirements for eligibility by the examination closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support her 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 21st DAY OF OCTOBER, 2015



Robert M. Czech

Chairperson

Civil Service Commission

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and
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