

B-34



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Johanna Hernandez,
Field Representative, Senior Citizens
Program, Bilingual in Spanish and
English (C0806S), Hudson County

Examination Appeal

CSC Docket No. 2015-2283

ISSUED: JUN 22 2015 (SLK)

Johanna Hernandez appeals the determination of the Division of Agency Services (Agency Services) that, per the substitution clause for education, she was below the minimum requirements in experience for the open competitive examination for Field Representative, Senior Citizens Program, Bilingual in Spanish and English (C0806S), Hudson County.

The examination at issue was announced with specific requirements that had to be met as of the October 29, 2014 closing date (see attached). A total of nine individuals applied for and three were determined eligible for the subject examination. Certification OL150103 was issued containing the names of the three eligibles and one eligible was appointed.¹ The list expires on January 21, 2018.

On her application, Ms. Hernandez indicated that she was provisionally serving in the subject title from July 2014 to the October 29, 2014 closing date, a Pre-Litigation Paralegal for the Law Offices of Evelyn Padin from September 2013 to July 2014, a Senior Clerk Typist/Receptionist for the City of Jersey City from June 2008 to June 2011, a Senior Clerk Typist for the City of Jersey City from April 2005 to June 2008, a Legal Secretary for Mulkay & Rendo, PC from June 2002 to April 2005, an Administrative Assistant for JP Affordable Housing, Inc. from December 1997 to March 2001, a Legal Secretary for Padin & Medniola, Esqs. from November 1996 to December 1997, and a Recreation Assistant for Hamilton Park

¹ The disposition has not yet been recorded. However, Agency Services has confirmed that one eligible has been appointed.

Healthcare Center, Inc. from September 1994 to November 1996. She also possesses 68 college credits. Agency Services credited her with four years and seven months of experience based on her college credits, her provisional service in the subject title, and her experience as a Recreation Assistant, but determined her other experience was not applicable. Therefore, she lacked five months of experience.

On appeal, Ms. Hernandez presents that in addition to her provisional service in the subject title and her experience as a Recreational Assistant, her experience in various clerical positions included functions that assisted seniors regarding issues with their social security, wills, real estate and housing, and providing access to government programs. As such, she asserts that of the closing date, she had over 11 years of experience directly related to the welfare of seniors.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

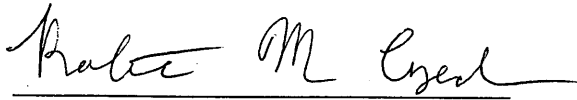
Based on her application, Agency Services correctly determined that Ms. Hernandez did not meet the required experience as of the October 29, 2014 closing date as she lacked five months of the required experience. However, the record evidences that the eligible list is incomplete as one eligible has been appointed and only two names remain on the eligible list, and Ms. Hernandez continues to serve provisionally in the title under test. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and accept Ms. Hernandez's experience after the closing date, for eligibility purposes, and admit her to the subject examination.

ORDER

Therefore, it is ordered that the appeal be granted, and Johanna Hernandez'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 17th DAY OF JUNE, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Johanna Hernandez
Elinor Gibney
Kelly Glenn
Joseph Gambino



Job Announcements

Symbol: C0806S Title: **FIELD REPRESENTATIVE SENIOR CITIZENS PROGRAM BILIN GUAL IN SPANISH AND ENGLISH**

Issue Date: 10/08/2014

Closing Date: 10/29/2014

Jurisdiction: HUDSON COUNTY

Salary: \$40,162.00 - \$55,936.00 Per Year

Num. of Positions: 1

Workweek: 40 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

Hudson County

REQUIREMENTS:

EDUCATION: Graduation from an accredited college or university with a Bachelor's degree.

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.

NOTE: Applicants who do not meet the above education requirement may substitute additional experience as described below on a year-for-year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

EXPERIENCE: One (1) year of experience in work involving counseling or assisting senior citizens with matters involving their welfare.

SPECIAL SKILL: Applicants must be able to read, write, speak, understand, and communicate in English and Spanish sufficiently to perform duties of this position. Candidates will be tested at time of certification for the ability to communicate effectively in both English and Spanish.

LICENSE: Appointees 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 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 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. If the announcement is open to residents of more than one jurisdiction, the eligible list will be ranked according to that residency sequence. Please click here for additional information.
6. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
7. 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) or their claim is approved by DMAVA at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.

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