



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Donnell Cole, Sr.,
Senior Youth Worker (PS4482E),
Department of Military and Veterans
Affairs

Examination Appeal

CSC Docket No. 2018-494

ISSUED: **OCT 19 2017** (SLK)

Donnell Cole, Sr. appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Senior Youth Worker (PS4482E), Department of Military and Veterans Affairs.

The examination at issue was announced with specific requirements that had to be met as of the April 21, 2017 closing date (see attached). A total of two employees applied for the subject examination and both were deemed ineligible. Accordingly, the examination was cancelled due to a lack of qualified candidates. Personnel records indicate that the appellant was a Youth Worker from April 2016 to the April 21, 2017 closing date and a Direct Care AFSCME from June 2015 to April 2016.¹ Agency Services determined that the appellant lacked two years of experience as it found that he did not indicate that he was performing applicable duties.

On appeal, the appellant clarifies that he is a direct care worker who manages over 100 youth who are participating in a residential program due to various social, emotional, psychological and/or behavioral problems. Specifically, he states that he monitors these at risk youths throughout the day, manages their

¹ The appellant's application indicated that he was a Youth Worker from April 2015 to the April 21, 2017 closing date.

emotional and physical outbursts in a non-confrontational and non-threatening manner, and provides tutoring and other mentoring duties.

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: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.

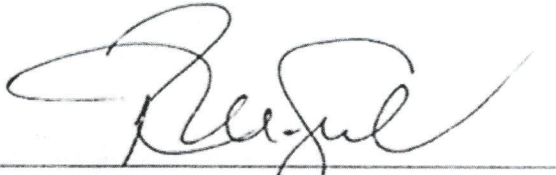
Agency Services did not find that the appellant indicated that he performed applicable duties as a Youth Worker and Direct Care AFSCME on his application. However, in accordance with *N.J.A.C.* 4A:4-2.1(g), the Commission can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties performed in a given position that expands or enlarges on information previously submitted is considered clarifying. On appeal, the appellant clarifies that in these positions, he provided direct care to at risk children in a residential program. Therefore, the Commission accepts the appellant's clarification for these two positions and credits him with 1 year and 11 months of experience based on his service from June 2015 to the April 21, 2017 closing date. Additionally, the appellant gained the required experience while serving as a Youth Worker after the closing date. Moreover, the record evidences that the examination was cancelled due to a lack of qualified candidates. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the appellant's additional service as a Youth Worker after the closing date, for eligibility purposes only, and admit him to the subject examination.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination announcement be rescinded and the appellant'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 18th DAY OF OCTOBER, 2017



Robert M. Czedh, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
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: Donnell Cole, Sr.
Robert Hoyd
Kelly Glenn
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

| | |
|--|--|
| SYMBOL: PS4482E | WEIGHT CODE: * |
| TITLE: SENIOR YOUTH WORKER | SALARY: \$37,353.00 - \$52,389.00 |
| ISSUE DATE: April 01, 2017 | CLOSING DATE: April 21, 2017 |
| TITLE CODE: 66000/P7RXR5 | CLASS CODE: 13 |
| DEPARTMENT: DEA/MILITARY & VETERANS AFFAIRS | |
| UNIT SCOPE: E110 Central Office | |

APPLICATIONS MAY BE OBTAINED
FROM AND MUST BE RETURNED TO:

Visit www.state.nj.us/csc
And select "Job Announcements"
to view this announcement and to file an application

Open to employees in the non-competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s), and meet the requirements listed below:

Youth Worker

Experience: Two (2) years of experience in the direct care and/or training of children with social, emotional, psychological and/or behavioral problems in a residential or community centered program.

Note: Thirty (30) semester credit hours from an accredited college, which shall have included at least twelve (12) semester credit hours in the behavioral sciences may be substituted for one (1) year of experience. Applicants must provide proof of the specific credit requirement by attaching to their application a transcript to their application. (Foreign degrees / transcripts must be evaluated by a recognized evaluation service.) Failure to do will result in rejection from the examination process.

Note: Applicants who possess the twelve (12) semester credit hours in the behavioral sciences may substitute additional experience for the remaining education.

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 the essential duties of the position.

Note: The responsibility for ensuring that appointees possess the required motor vehicle license, commensurate with the class and type of vehicles operated, rests with the Appointing Authority.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to the department and unit scope, and satisfying the permanent status requirement.
2. ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. YOU MUST COMPLETE YOUR APPLICATION IN DETAIL. Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.
5. In accordance with Public Law 2010 c 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veterans Preference with the Department of Military and Veterans Affairs (DMAVA) (as defined by N.J.S.A. 11A:5-1 et seq.). Those claiming Veterans 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 this eligibility list. PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.
6. SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.
7. If you are having difficulty submitting your application online, technical support and customer care 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.

8. 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.

DPF-256A * Revised 07/06

