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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Giovanna Guarraggi,
Administrative Director of Nursing
(M0831U) Hamilton

Examination Appeal

CSC Docket No. 2017-3053

ISSUED: JUL 31 2017 (RE)

Giovanna Guarraggi appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the open-competitive examination for Administrative Director of Nursing (M0831U) Hamilton.

The subject examination announcement was announced with specific requirements that had to be met as of the November 14, 2016 closing date (see attached). As there were no admitted applicants, the examination was cancelled on April 7, 2017.

On her application, the appellant indicated that she possessed a Master's degree in Nursing, and as such, she was required to possess four years of applicable experience. The appellant listed five positions on her application and resume: provisional Administrative Director of Nursing; Nurse Practitioner with Robert Wood Johnson University Hospital (part time, 4 hours per week); Advanced Practice Nurse - Clinical Coordinator Community Health Educator (overlaps with the second position, no hours given, no ending month given) with Robert Wood Johnson University Hospital; Registered Nurse - Team Leader and Senior Case Manager of the Maternal Child Health Program, LEAD Program and Disease Management Program with Horizon NJ Health Insurance Plan; and Advanced Practice Nurse - Student Health Center (adjunct per diem staff) with The College of New Jersey. Official records indicated a different employment history from that provided by the appellant. These records indicate that she was an Advanced Practice Nurse for much of the time that she indicated that she was a provisional in the subject title.

The appellant was a provisional in the subject title for six months as of the November 2016 closing date. None of her experience was accepted, and she was found to be lacking four years of required experience.

On appeal, the appellant reiterates her education and maintains that she accrued applicable experience as an Advanced Practice Nurse - Clinical Coordinator Community Health Educator, and as a Registered Nurse - Team Leader and Senior Case Manager of the Maternal Child Health Program, LEAD Program and Disease Management Program. She provides additional duties for those positions, as well as for her provisional position. In support of this appeal, the Health Officer and Director of Health for Hamilton states that the appellant has been the Administrative Director of Nursing for three years. He indicates that she is responsible for all nursing operations within the Division of Health, including 96 public and private schools, and is administratively responsible for six long term and continuing Health Care facilities.

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

As to her application, the online application process is automated and provides instructions to candidates on how to properly complete their applications. Eligibility for a given examination is determined based on the information provided on the application. The announcement states, "**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.**" The Online Application System User Guide repeats, "Failure to complete your application properly may cause you to be declared ineligible or may lower your score if your application is your test paper." The guide asks candidates to carefully review the application to ensure that it is complete and accurate before submitting, and states, if supplemental documents are required, they should be uploaded with the application or submitted within five business days of submitting the online application. In order to proceed to the payment section, candidates must certify that their applications are complete and accurate.

As to duties for her provisional position, on her application the appellant indicated she was:

Responsible for daily management of public health nurses • Assists, advises and works closely with Health Officer for all public health issues and outbreaks in the Hamilton Township • Adept at working with the State of New Jersey Vaccination Registry (NJIIS) for adult

and pediatric vaccines • Responsible for vaccine handling and storage for the local department of health • Responsible for coordination of seasonal public flu and pneumonia clinics • Adept with working with CDRSS New Jersey State communicable disease database Responsible to track and report communicable diseases in Hamilton Township • Work collaboratively with New Jersey State epidemiologists for the management of patients with communicable diseases in Hamilton Township • Development and execution of educational presentations to various public health officials • Clinical provider for Pediatric Vaccination Well Child Clinic- Responsible to provide well child exams, vaccination administration, sports physicals, school physicals • Clinical provider for Adult STD clinic- Responsible for diagnosis and treatment of STDs, review of all lab work, treatment and follow up of persons with sexually transmitted diseases • Interpretation of lab work received from the (PHEL) State lab • Responsible for Hamilton Township Administrative yearly Report.

In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). The description above does not have administrative experience in work involving the development of and implementation of an extensive program of nursing service and/or nursing education as the primary focus. However, this description of duties would be the duties of an Advanced Practice Nurse, a title which the appellant held, but for which she included in the time she indicated she was a provisional Administrative Director of Nursing.

In her appeal, the appellant provides different set of duties. She states that she is:

[R]esponsible in the formulation of nursing policies, procedures in our health department and I annually review, evaluate and administer current policies and procedures as related to public health nursing practice. I make revisions for improvements if necessary based on the current recommended clinical guidelines in public health nursing practice and based on New Jersey State recommendations for managing communicable disease outbreaks and on public school vaccination requirements. ... I am also administratively responsible for 88 preschools and elementary schools, 3 middle schools and 5 high schools in Hamilton Township. My responsibilities also include the administrative direction of six continuing and long-term care facilities in Hamilton Township. The onsite Directors of Nursing at the Hamilton Board of Education and all long-term care facilities within Hamilton Township report directly to me on all nursing programs and matter. ... I am responsible to assign and delegate authority to our

Nursing Supervisor and to our four Public Health Nurses. I also routinely advise and delegate to non-nursing personnel in the health department. I am the administrator and medical provider of our Child Health Conference Pediatric Vaccination Clinic and our Adult STD clinic. In this role, I am responsible to determine all standards of patient care and document appropriate patient treatment plans of care. I have prescriptive authority that allows me to write prescriptions for medications and lab work for our patients when necessary. ... I am responsible for developing the program of orientation and in-service training for new and present personnel. I implemented respiratory fit training for existing nursing staff ... I prepare Local Counsel and State reports that evaluate, and analyzes the work of public health nursing in our township and our nursing department. I am involved with the annual budget preparation for the nursing department and for nursing personnel. I budget for equipment, supplies, medication, and further education for nursing personnel. I recently advised on the renovation of a new patient exam area in our health department. I am responsible for the maintenance of medical records and personnel reports. ... Lastly in my current position, in the organizational hierarchy in the health department, the public health nurses report to me for guidance and assistance to improve patient care.

The appellant then provides examples of her work when she held the title an Advanced Practice Nurse. She refers to handling a case of Hepatitis A in a food handler wherein she was responsible for the development and implementation of the plan of mass public health prophylaxis (administering the Hepatitis vaccine) of the residents of our township who were patrons of the restaurant. Due to the unexpected death of a preschool child due to Enterovirus D68, the appellant was a presence at the local school that the child attended and acted as the leader of an interdisciplinary team who were there to assist families and school personnel with medical questions and concerns involving this virus. Regarding the Heroin epidemic, she was trained on the use of an opioid antagonist called Narcan to help reverse life threatening opioid overdoses and trains other on its use. She states that she plans, coordinates and implements yearly public mass flu and pneumonia clinics, and assigning personnel.

The appellant is mixing the duties of both of her titles with Hamilton. Nevertheless, it appears as though she is properly performing the duties of her provisional title, and therefore, should receive credit for six months of experience as of the November 2016 closing date.

As to her remaining positions, the appellant cannot receive credit for those, as they were not administrative work. In *In the Matter of Kimberly Morris* (MSB,

decided September 21, 2005), it was noted that, to some degree, nearly all titles require incumbents to apply administrative policies and procedures in the execution of their duties. At the most basic level, an employee could arguably "administer" almost anything as part of his or her regular work duties. Thus, the open competitive requirements for an examination must be evaluated in relation to both the level of the position and what actual experience would provide a logical nexus to the primary focus of the title. Thus, the "administrative experience" required for the Administrative Director of Nursing title is essentially responsibility for a wide variety of planning, management, and control functions of an organization or organizational unit that includes development and/or approval of operating policies and procedures and, in this case, the development and implementation of an extensive program of nursing services or nursing education. The appellant's prior-held positions clearly do not meet this requirement.

As a Nurse Practitioner with Robert Wood Johnson University Hospital, the appellant performs nursing in a part-time position. As an Advanced Practice Nurse - Clinical Coordinator Community Health Educator with Robert Wood Johnson University Hospital, the appellant did not provide hours worked per week so that experience cannot be quantified. Nevertheless, she indicated that her duties for that position were presenting continuing education programs, being a Preceptor for nurse practitioner students, evaluating community health programs for development based on guidelines, assisting the Director with daily administrative duties to maintain operations, assuring that standards are maintained, and maintaining departmental performance improvement data collections and reporting to Administration. While some administrative duties may have been included, the primary focus was not administration for an extensive program of nursing services or education. These duties, which include presenting continuing education programs, are not at the level and scope of the announced experience requirement.

The appellant's work as a Registered Nurse - Team Leader and Senior Case Manager of the Maternal Child Health Program, LEAD Program and Disease Management Program and Advanced Practice Nurse at a Student Health Center are clearly inapplicable. As a Registered Nurse, the appellant was a program developer, and managed staff and cases. This was not administrative work. As an Advanced Practice Nurse, the appellant was involved with patient care. In sum, the appellant has not demonstrated the necessary experience to establish eligibility for the title under test.

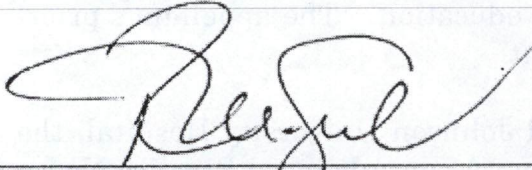
An independent review of all material presented indicates that the decision of the Division of Agency Services, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, 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
THE 26th DAY OF JULY, 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: Giovanna Guarraggi**
- Kelly Yaede**
- Kelly Glenn**
- Records Center**



Job Announcements

Symbol: M0831U Title: **ADMINISTRATIVE DIRECTOR OF NURSING**

Issue Date: 10/24/2016

Closing 11/14/2016

Date:

Jurisdiction: HAMILTON

Salary: \$85,752.00 - \$101,864.00 Per Year

Num. of Positions: 1

Workweek: 35 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

Hamilton Township

REQUIREMENTS:

Education & Experience: Graduation from an accredited college or university with a Master's degree in nursing or nursing administration or nursing education from an accredited college or university plus four (4) years of administrative experience in work involving the development of and implementation of an extensive program of nursing service and/or nursing education. Please upload a copy of your transcripts with your application. Failure to do so will result in ineligibility. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

OR

Graduation from a four (4) year course at an accredited college or university with a major course of study in nursing or nursing administration or nursing education plus five (5) years of administrative experience in work involving the development of and implementation of an extensive program of nursing service and/or nursing education. Please upload a copy of your transcript with your application. Failure to do so will result in ineligibility.

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.

License: Applicants must be a Registered Professional Nurse, currently licensed in the State of New Jersey. You must indicate your license number on your application. If you do not have the license, you must include with your application, a letter of permission to work issued by the State Board of Nursing. Failure to do so will result in rejection from the examination process.

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. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

Special Note: This announcement may be tested via the Management Test Battery, a computer-administered exam. For information regarding the Management Test Battery, please refer to our website www.state.nj.us/csc.

Note: Hamilton Township is in Mercer County.

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.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.

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