



**STATE OF NEW JERSEY** 

| In the Matter of Raquel Ince,<br>Assistant Superintendent of<br>Recreation (PM2573V), | :: | FINAL ADMINISTRATIVE ACTION<br>OF THE<br>CIVIL SERVICE COMMISSION<br>Examination Appeal |               |      |
|---|----|---|---------------|------|
| Ewing Township  | :  |   |               |      |
| CSC Docket No. 2018-3025  | :  |   |               |      |
|   | :  |   |               |      |
|   |    | <b>ISSUED:</b>  | June 22, 2108 | (RE) |

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Raquel Ince appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements for the promotional examination for Assistant Superintendent of Recreation (PM2573V), Ewing Township.

The subject examination announcement was issued with specific requirements which had to be met as of the November 21, 2017 closing date. These requirements included graduation from an accredited college or university with a Bachelor's degree, and three years of supervisory experience in recreation work involving the planning, promoting, organizing, and/or directing of a comprehensive recreation service or program for an entire community. As the appellant was the sole applicant, the examination was cancelled on May 3, 2018.

The appellant indicated that she possessed Bachelor's degree, and was required to possess three years of applicable supervisory experience. On her application and resume she listed experience in seven positions in the following titles: Community Service Aide, On-Site Supervisor with CoWorxx Staffing Services, Human Resources Representative with Merrill Lynch, Program Coordinator with Bright Horizons Family Solutions, and Lead Teacher with Bright Horizons Family Solutions. Official records indicate that for the period of time that the appellant indicated that she was a Community Service Aide, she held the following titles: provisional Assistant Superintendent of Recreation; Senior Community Service Aide; Community Service Aide; and Community Relations Specialist. As such, Agency Services contacted the appellant and asked her to provide duties for each of these titles, which she did. She was then credited with four months of experience in her provisional position and found to be lacking two years, eight months of applicable experience.

On appeal, the appellant states that she was hired in 2013 as Director of Hollowbrook Community Center and she still holds the same title. She provides some of the duties that she performed during her employment with Ewing Township, and maintains that since 2014 she has assumed the responsibility of Assistant Director of Community Affairs, and performs her supervisor's duties in his absence. She maintains that although she had to separate her employment record according to the titles she held, her duties and responsibilities did not change.

## CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. N.J.A.C. 4A:4-2.6(c) provides in pertinent part that 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, unless good cause is shown for an exception.

A review of the appellant's application reveals that she does not meet the announced requirements. Experience gained in an "acting capacity" in any title cannot be considered. As such, experience is considered only if it is gained in a recognized type of appointment. See In the Matter of Walter Furtney (MSB, decided April 18, 2000), aff'd on reconsideration (MSB, decided September 26, 2000). See also In the Matter of Robert Dsurney, Deputy Fire Chief (MSB, decided September 10, 2002).

In the present matter, the appellant received credit for her time as a provisional in the subject title based on the clarification of duties that she provided to Agency Services on its request. In the remaining positions with Ewing Township, the appellant was not in supervisory titles and was not responsible for supervision. Her remaining positions did not have the announced experience requirement as the primary focus. As the appellant was not responsible for supervision in her prior held local government positions, she can only be credited with experience in her provisional position. On appeal, the appellant maintains that she was working outof-title, but she was not doing so if she was not supervising. The appellant was denied admittance to the subject examination since she lacked the minimum requirements in experience. An independent review of all material presented indicates that the decision of the 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 ON THE 20<sup>th</sup> DAY OF JUNE, 2018

Derrare' L. Webster Cabb

Deirdré L. Webster Cobb Chairperson Civil Service Commission

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