

four months of experience based on two years and 10 months for his college credits and six months for his provisional service in the subject title, but determined that he lacked two years and eight months of experience.

Rosa indicated that she possessed a Bachelor's degree. Personnel records indicated that she was provisionally serving in the subject title from July 2017 to the August 21, 2017 closing date, a Dental Assistant 1 from April 2001 to July 2017, a Cottage Training Technician from December 2000 to April 2001, and a Human Services Assistant from October 1993 to December 2000. Agency Services credited her for her Bachelor's degree and having two months of experience based on her provisional service in the subject title, but determined that she lacked one year and 10 months of the required experience.

On appeal, both McNeil-Billups and Rosa explain how they performed the required duties for the developmentally disabled in their various positions while serving the appointing authority.

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.

The Civil Service Commission (Commission) finds that McNeil-Billups and Rosa meet the requirements for the subject examination. Initially, it is noted that the subject examination announcement indicates that experience can be substituted for the requirement that candidates needed to possess a Bachelor's degree. In this case, the title under test has a class code of 22 and the appellants' permanent title have class codes of 14 (Dental Assistant 1) and 13 (Cottage Training Supervisor). The Human Services Assistant title has a class code of 8. A class code is defined as a designation assigned to a job title with ranking based on job content. Thus, Agency Service determined that experience gained in titles at these levels could not be substituted for professional experience.

However, the announcement does not have any qualifiers that define the level and scope of applicable experience. Therefore, the Commission finds that candidates for the subject examination did not necessarily need to have performed the required duties while serving in professional titles, *i.e.* titles that require a Bachelor's degree, to have applicable experience. As there are only five eligibles on the list and nine provisional appointees, the list is incomplete. Thus, in this situation, the Commission notes that to not accept this lower level, but clearly related experience would mean that the substitution clause would be meaningless as those who did not have a Bachelor's degree could presumably never have applicable experience since they would never be eligible to serve in professional titles.

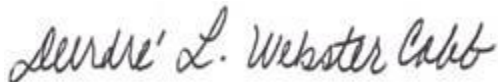
Additionally, under *N.J.A.C.* 4A:4-2.1(g), the Commission can accept clarifying information in eligibility appeals. However, *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004). In this matter, the Commission finds that both McNeil-Billups and Rosa have clarified how, in addition to their provisional service in the subject title, they delivered habilitative services in programs for the developmentally disabled for more than the required number of years as either a Human Services Assistant or in various Cottage Training titles. Therefore, the facts of this situation warrant acceptance of experience in the lower level Human Services Assistant and various Cottage Training title series.

ORDER

Therefore, it is ordered that these appeals be granted and William McNeil-Billups' and Alisa Rosa's applications 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 6th DAY OF JUNE, 2018



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