



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Cynthia Brown,  
Supervisor of Professional  
Residential Services, Developmental  
Disabilities (PS4839K), Department  
of Human Services

Examination Appeal

CSC Docket No. 2020-621

**ISSUED:** October 29, 2019 (RE)

Cynthia Brown appeals the decision of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Supervisor of Professional Residential Services, Developmental Disabilities (PS4839K), Department of Human Services.

The subject promotional examination had a closing date of January 22, 2019 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date and who were serving in the title Assistant Supervisor of Professional Residential Services, Developmental Disabilities OR who were serving in any competitive title and met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and four years of experience in work involving the direct care, training or other habilitative services to the developmentally disabled in a residential or health care facility, one year of which shall have been in a supervisory capacity. Applicants who did not possess the required education could substitute additional experience on a year-for-year basis with thirty semester hour credits being equal to one year of experience. A Master's degree in Social Work, Psychology, Education, Administration, Sociology, Nursing, Guidance and Counseling or a closely related field may be substituted for one year of the nonsupervisory experience. The appellant was found to be ineligible based on a lack of experience per the substitution clause for education. There are 21 admitted candidates, and the results are not yet available.

On her application, appellant indicated that she did not possess any college credits. Based on the substitution clause, she was required to have eight years of experience. For her experience, the appellant listed five positions on her application and provided a resume with three additional positions for which she did not provide duties, supervisory information, or supervisor information. For each of the five positions, she copied the examples of work from the job specifications for those titles word for word. This is unacceptable. *See In the Matter of Margaret S. Chann* (MSB, decided November 4, 2004). She was emailed and asked to provide a job description in her own words and did not respond. Her remaining positions did not have duties listed and therefore could be not evaluated. As such, the appellant was found to be lacking a Bachelor's degree and four years of applicable experience based on her application.

On appeal, the appellant submits the same job duties that she submitted originally, and as copied from the job specifications, including additional job duties copied directly from job specifications.

## 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 that except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

At the outset, it is noted that the application is utilized to screen the candidate pool to ensure that all applicants, including provisional appointees, meet the minimum experience requirements for each position. Those applicants who meet the minimum eligibility requirements are then evaluated through the testing process in order to determine their relative merit and fitness. The appellant she copied her duties directly from the job specifications for her current and former titles. The Commission notes that the duties listed on the appellant's application mimic the examples of work listed on the job specification. Simply quoting the duties contained in the job specification on an application is not a sufficient basis on which to determine if a candidate's *specific* duties would meet the requirements for an examination. Candidates must demonstrate that the duties they perform qualify them for admission to the examination. *See In the Matter of Maxsine Allen and Vivian Stevenson* (MSB, decided March 10, 2004).

In her appeal, the appellant does not reword her duties, but adds more duties copied from the job specification. Thus, she lacks eight years of applicable experience per the substitution clause for education. The appellant is cautioned to complete any future application in her own words.

An independent review of all material presented indicates that the decision of the Division of Agency Services that appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. Appellant provides no basis to disturb this decision. Thus, 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 23rd DAY OF OCTOBER, 2019



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