



STATE OF NEW JERSEY

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

In the Matter of Jeannie Davis,
Program Development Specialist
Community Service (M0080A),
Trenton

Examination Appeal

CSC Docket No. 2020-196

ISSUED: October 29, 2019 (RE)

Jeannie Davis appeals the determination of the Division of Agency Services which found that she did not meet the minimum requirements in experience for the open-competitive examination for Program Development Specialist Community Service (M0080A), Trenton.

The subject examination had a closing date of January 22, 2019 and was open to residents of Trenton who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and one year of experience in the development of programs designed to solve socio-economic needs of residents of the state and/or local communities which shall have included responsibility for research, negotiation, and/or writing of proposals for community service programs. A Master's degree from an accredited college or university with concentration in the field of human or social services could be substituted for one year of required experience. Applicants who do not meet the above educational requirement could substitute additional work experience on the basis of one year of experience being equal to thirty semester hour credits. The appellant was found to be ineligible based on a lack of experience. As there were no admitted applicants, the examination was canceled on July 27, 2019.

The appellant indicated possession of a Bachelor's degree and she listed seven positions on her application and resume: provisional Program Development Specialist Community Service, Keyboarding Clerk, Clerk Typist, Program Development Specialist Cultural and Heritage Affairs, Clerk Typist, and Program Development Specialist Cultural and Heritage Affairs. Official records indicate

that she was a Keyboarding Clerk 1 during her employment with Trenton except for her provisional position. She indicates a full-time position with Trenton from April 2003 to December 2003 as a Program Development Specialist Cultural and Heritage Affairs. However, this position does not appear on her official record, which starts her new hire on December 29, 2003. None of her experience was credited, and she was found to be lacking one year of applicable experience. She remains in her provisional position.

On appeal, the appellant states that she is a provisional Program Development Specialist Community Service. She provides additional duties for her positions as a Program Development Specialist Cultural and Heritage Affairs.

CONCLUSION

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. *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services did not credit the appellant for her provisional experience as she provides a list of duties which closely matches the job definition and the first several examples of work from 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). Nonetheless, the appellant provided enough other duties to warrant credit for her experience in this position. While these duties have been accepted, the appellant is cautioned to complete any future job applications in her own words.

The remainder of the appellant's experience does not match the experience requirement. Specifically, her positions as a Program Development Specialist Cultural and Heritage Affairs had the development of recreational programs and events, not those designed to solve socio-economic needs of residents. Additionally, they did not involve research, negotiation, and/or writing of proposals. Her remaining experience is clerical. As such, the appellant was correctly found ineligible for the subject examination.

Nonetheless, the examination was cancelled, the appellant continues to serve provisionally in the title under test, and she has accrued at least one year of

applicable experience since her provisional appointment in November 2018. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and *N.J.A.C.* 4A:4-2.3(b) to accept the appellant's additional provisional experience beyond the closing date and admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

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



Deirdre L. Webster Cobb
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

c: Jeannie Davis
Adam Cruz
Kelly Glenn
Records Center