



STATE OF NEW JERSEY

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

In the Matter of Linda McFadden,
Library Director (M0251A),
Bridgeton

CSC Docket No. 2020-785

Examination Appeal

ISSUED: October 29, 2019 (RE)

Linda McFadden appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the minimum requirements in experience for the open-competitive examination for Library Director (M0251A), Bridgeton.

The subject examination had a closing date of March 7, 2019 and was open to residents of Bridgeton, and Cumberland County, who met the announced requirements. These requirements included graduation from an accredited college or university with a Master’s degree in Library or Information Science in a library program accredited by the American Library Association or from a New Jersey college Master’s program in Library Science that has been deemed acceptable by Thomas Edison State College, **and** five years of library experience including work in the service, circulation, and reference areas, two years of which shall have been in a supervisory capacity. The appellant was found to be ineligible based on a lack of experience. As there were no admitted applicants, the examination was canceled on September 18, 2019.

The appellant indicated possession of a Master’s degree in Library and Information Science and she listed five positions on her application and resume: provisional Library Director, Librarian I, Librarian, Librarian, and Circulation Assistant. She was credited with more than ten years of general experience, and with one year, seven months of supervisory experience. As such, she was found to be lacking five months of supervisory experience. She remains in her provisional position.

On appeal, the appellant states that she is a provisional Library Director, and she provides some duties of her position. She also indicates that she has been working in libraries for twenty years.

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' determination is correct as the appellant lacked the required amount of supervisory experience. Nonetheless, the examination was cancelled, the appellant continues to serve provisionally in the title under test, and she has at least two years of supervisory experience since her provisional appointment in August 2017. 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



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