



STATE OF NEW JERSEY

Deelip Mhaske, Program Manager
Family Health Programs (PS8198H),
Department of Health

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

CSC Docket No. 2019-3528

ISSUED: OCTOBER 29, 2019 (EG)

Deelip Mhaske, appeals the determination of the Division of Agency Services (Agency Services) which found that per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Program Manager Family Health Programs (PS8198H), Department of Health.

The subject promotional examination was announced with pertinent requirements which had to be met as of the announced closing date of September 21, 2018. Specifically, applicants were required to possess a Bachelor’s degree from an accredited college. Additionally, applicants needed to possess five years of experience in a statewide or regional public health program in program development and/or implementation of health services for mothers, children, or families; examples of responsibilities include but are not limited to budget/grants management and administration, goal setting, service delivery, educational outreach, program evaluation, and provision of consultant services, two years of which shall have been in a supervisory capacity. It was noted that a Master’s degree in Public Health, Nursing, Nutrition, Health Care Administration, Health Education, Marriage and Family Therapy, Health Planning, Public Administration, Epidemiology, Physical or Occupational Therapy, Audiology or Speech Pathology, Social Work, or other discipline appropriate to position responsibilities and required experience may be substituted for one year of nonsupervisory experience. A total of eight employees applied for the subject examination that resulted in a list of three eligibles with an expiration date of August 7, 2021. It is noted that one permanent appointment has been made from the list.

A review of the appellant’s application and resume indicates that he possesses a degree equivalent to Master’s degree. Additionally, it indicates that the

appellant has served as a Director for Foundation for Human Horizons from May 2003 through the closing date of the examination, as a provisional Coordinator Primary and Preventive Health Services from September 2016 through the closing date of the examination, as a Guardianship Specialist 2 from September 2014 to September 2016, as a Social Worker 1 from September 2009 to September 2014, as a CEO/Director for the American Foundation for Human Services from September 2008 to September 2014, and as an Attorney in private practice from October 2001 to January 2006. Agency Services found that the appellant possessed one year and 11 months of the required experience for his work as a provisional Coordinator Primary and Preventive Health Services position. It did not find any of his other work experience applicable.

On appeal, the appellant argues that he has 16 years of experience in a social/healthcare organization based on his service with Foundation for Human Horizons. He also asserts that he worked as a manager for Ayushakti Hospital from 2003-2006 implementing health care projects. Finally, he states that he started a mental health organization, American Foundation for Human Services in 2009.

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. Additionally, *N.J.A.C.* 4A:4-2.1(f) states that an applicant may amend an application prior to the announced closing date. *N.J.A.C.* 4A:4-6.3(b) provides that appellants have the burden of proof in examination and selection disqualification appeals.

In the instant matter, a review of the record demonstrates that Agency Services correctly determined that the appellant was not eligible for the subject examination. A review of the appellant's application and appeal submissions reveals that his primary duties did not focus on family health service implementation and development. In order for experience to be considered applicable, it must have as its **primary focus** full-time responsibilities in the areas required in the announcement. See *In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). See also, *In the Matter of Karen Conti* (CSC, decided April 19, 2017) (Commission noted that an experience requirement in an announcement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they primarily performed all those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience).

On his original application, the appellant explained that he performed a number of duties as the Director of Foundation for Human Horizons. However, he

did not indicate on his application if the organization is a public health program or if services were directed to mothers, children or families. Rather, he lists a number of management duties, but never specifies the nature of the organization or the services that it provides. Similarly, he described a number of managerial duties, but did not describe his experience with the American Foundation for Human Services as being directed toward mother, children or families. Thus, the appellant did not explain how his duties on his application, or in his appeal submission, would have rendered him eligible. In this regard, the onus is not on Agency Services or the Commission to flesh out the scope of the appellant's experience. *See In the Matter of William A. Bailey*, Docket No. A-5283-02T2 (App. Div. December 30, 2004).

With respect to his experience with Ayushakti Hospital, the appellant did not list this experience on his original application. Thus, in accordance with *N.J.A.C. 4A:2-1(f)*, that experience cannot be considered in the adjudication of this appeal.

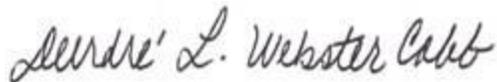
Accordingly, based on the foregoing, the appellant has not met his burden of proof, and has not provided a basis to disturb the determination of Agency Services that she was ineligible for the title under test.

ORDER

Therefore, it is ordered that the 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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