

On appeal, the appellants maintain that they meet the experience requirements. In support, McCarthy indicates that he possesses almost 14 years of applicable experience and he has been serving as a Juvenile Detention Officer since February 28, 2006. McCarthy explains that his duties include providing supervision, safety and security to juvenile inmates. Additionally, Keating asserts that he possesses over six years of applicable experience, and he explains that his duties include providing supervision, meals, nursing calls, confirming attendance at school and other programs, conducting searches to ensure contraband does not enter the facility, confirming daily hygiene for inmates is maintained, assisting with negative behavior with the juvenile inmates, and physically restraining juvenile inmates when necessary. Rivera maintains that she possesses sufficient experience and she provides a letter in support from the appointing authority indicating that she has been serving as a Juvenile Detention Officer since December 8, 2003.

It is noted that the County and Municipal Personnel System (CAMPS) indicates that McCarthy was appointed as a Juvenile Detention Officer effective February 28, 2006, and he is currently serving in that title. Additionally, the CAMPS system indicates that Keating was appointed as a Juvenile Detention Officer effective June 24, 2013, and he is still serving in that title. The CAMPS system also shows that Rivera was appointed as a Juvenile Detention Officer effective December 8, 2003, and she is still serving in that title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

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 in the appellants' original applications. See *In the Matter of Diana Begley* (MSB, decided November 17, 2004).

In this case, McCarthy, Keating and Rivera provide documentation confirming that they possess at least two years of experience in the care and custody of juveniles or young inmates confined in an institution while serving as a Juvenile Detention

Officer. As such, the Commission is satisfied that they satisfy the requirements. As such, the Commission will relax the provisions of *N.J.A.C. 4A:4-2.1(f)* and accept their duties. In this regard, the purposes of the Civil Service System are best served when more candidates are permitted to demonstrate their merit and fitness for promotion via examination. The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. *See Communications Workers of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998). Under these circumstances, the appellants should be admitted to the subject examination. However, the appellants are warned to ensure that any future applications are fully completed.

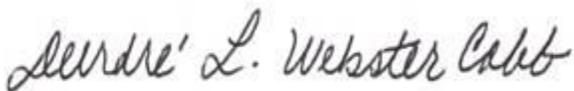
This decision is based on the particular facts of this matter and shall not be used as a precedent for any future matters.

ORDER

Therefore, it is ordered that these appeals be granted, the appellants' applications be processed, and they be given a make-up examination 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 19TH DAY OF AUGUST 2020



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