



**STATE OF NEW JERSEY**

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

In the Matter of Patrick Onwunaka,  
Rehabilitation Counselor Mental  
Health (PS0319H), Department of  
Health

Examination Appeal

CSC Docket No. 2020-1856

**ISSUED: SEPTEMBER 7, 2020 (RE)**

Patrick Onwunaka appeals the decision of the Division of Agency Services which found that he did not meet the educational requirements for the promotional examination for Rehabilitation Counselor Mental Health (PS0319H), Department of Health.

The subject examination announcement was issued with an August 21, 2019 closing date, 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 in any competitive title and who meet the requirements. The requirements included graduation from an accredited college or university with a Bachelor's degree, including a minimum of 24 college credits in a combination of any of the following areas: Vocational Counseling, Rehabilitation Counseling, Psychology, Sociology, Social Work, Vocational Guidance, Special Education or related areas, and one year of experience in vocational/rehabilitation guidance or counseling, other related guidance and counseling, or social or medical casework in a rehabilitation agency, facility or other social program designed to increase the employability or social productivity of clients. Also, a Master's degree in one of the areas listed could be substituted for one year of experience. Applicants who did not possess a Bachelor's degree but possess the 24 semester hour credits could substitute additional experience as indicated on a year-for-year basis with thirty semester hour credits being equal to one (1) year of experience.

The appellant indicated that he possessed a Bachelor's degree in Economics, but only possessed fifteen required credits. As such, he was found to be lacking nine credits in Vocational Counseling, Rehabilitation Counseling, Psychology, Sociology, Social Work, Vocational Guidance, Special Education or related areas. The appellant was determined to have met the experience requirement, but was below the minimum requirements in education. As there were no admitted applicants, the examination was cancelled on January 16, 2020.

On appeal, the appellant argues that he should be eligible as he met the experience requirements, and had a Bachelor's degree in Economics and 15 semester credits in Psychiatric Rehabilitation and Psychology, and Psychology Rehabilitation and Treatment. He states that he was provisionally appointed to the title and submits his resume, foreign degree evaluation, and transcript. He argues that he was discriminated against as his foreign degree was evaluated by WES, a recognized evaluation service. He states that he has a Bachelor's degree in "Economics, Social Science" and has completed 124 college credits. He states that he has 15 credits from the University of Medicine and Dentistry in rehabilitation and psychology, and six continuing education credits in drug and alcohol studies. He argues that his degree in economics is in the area of social science, and he provides some information from an unidentified source which concurs. He provided a figure which showed that economics overlaps with sociology, psychology, geography, and politics. He also provided a passage which states that economics is a social science because it examines the social behavior of human beings with regards to allocation of scarce resources in order to meet the needs of each individual and the society. It explains that social science is the branch of science devoted to the study of human societies and the relationships among individuals within those societies. The appellant indicates that Human Resources informed him that he met the education requirements, but he does not list the courses that he believes fall into the specific areas.

## 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.

The review of the announcement indicates that a *minimum* of 24 semester hour credits in Vocational Counseling, Rehabilitation Counseling, Psychology, Sociology, Social Work, Vocational Guidance, Special Education or related areas is required. The appellant was recognized as having fifteen college credits in the specified fields; Introduction to the Principles of Psychiatric Rehabilitation (3), Communication Techniques (3), Introduction to Group Dynamics (3), Clinical Principles and Rehabilitation/Treatment (3), Evidence Based PSR Practice (3). The appellant was *not* found ineligible as his Economics degree was not in a Social Science, nor was the fact that his foreign degree was evaluated by a recognized

evaluation service a consideration in the determination. Rather, he was found to be ineligible as did not possess the specific college credits, and the appellant does not provide proof of the additional nine credits in the specific areas. None of the appellant's 124 credits from a foreign university are in Vocational Counseling, Rehabilitation Counseling, Psychology, Sociology, Social Work, Vocational Guidance, or Special Education. The appellant argues that his Economic classes should be considered to be related to the list.

Additionally, the Civil Service Commission utilizes the U.S. Department of Education's current Classification of Instructional Programs (CIP) as reference authority to determine if degrees and/or coursework fall within a specific academic discipline. Each discipline is given a separate CIP code. In this case, Economics is in a different CIP code than Vocational Counseling, Rehabilitation Counseling, Psychology, Social Work, Vocational Guidance, or Special Education. It is in the major area of Social Sciences (45), but is not in the same area as Sociology. The announcement did not state that acceptable degrees included those related to Social Sciences, which includes such diverse fields as anthropology, archeology, criminology, demography, economics, geography, international relations, political science, and urban studies. An Economics degree is not related to the experience description of vocational/rehabilitation guidance or counseling, other related guidance and counseling, or social or medical casework. Rather, this discipline focuses on the systematic study of the production, conservation and allocation of resources in conditions of scarcity, together with the organizational frameworks related to these processes. It includes instruction in economic theory, micro- and macroeconomics, comparative economic systems, money and banking systems, international economics, quantitative analytical methods, and applications to specific industries and public policy issues.

Next, on his application, the appellant did not indicate completion of Continuing Education Units (CEUs). Further, even if he had, CEUs and training courses are not considered equivalent to college level credits unless it can be demonstrated that the coursework would be accepted at an accredited college or university for college credits. *See In the Matter of Stephen Gavrell* (MSB, decided March 26, 2003). Compare, *In the Matter of Susan Stafford-Smith* (MSB, decided May 19, 2004) (Continuing education courses in pursuit of Professional Certificate in Geomatics acceptable substitute for required specialized college credits given estimation by university that such coursework equated to college credit). In his appeal, the appellant provides a certificate that on one day he completed a seminar and received six continuing education hours. This represents the number of hours that the appellant has participated in a continuing educational experience. However, one CEU is equal to 10 contact hours. The appellant's participation in this seminar does not equal one CEU, and the appellant cannot receive college credit for participation in this seminar.

Lastly, the Civil Service Commission determines examination eligibility, not individual appointing authorities. It is well settled that a provisional employee, whether provisional for one day, one year or seven years, does not have a vested right to a permanent position. While the requirements of *N.J.S.A. 11A:4-13(b)* allow for an appointing authority to certify that an appointee meets the minimum qualifications for the title at the time of appointment, the fact that the appointing authority erroneously determined that a provisional appointee satisfies the minimum qualifications for the title prior to an actual eligibility determination by this agency, does not automatically establish a presumption of eligibility when the examination is announced. See *In the Matter of Cynthia Bucchi, Maria D'Angelo, Rosalind R. James, Carla M. Lewis, and Rhonda McLaren, Management Assistant (PS5831F), Department of Education*, Docket No. A-1266-04T2 (App. Div. February 27, 2006). The appellant does not possess the required education as of the August 21, 2019 closing date as he lacks nine credits in Vocational Counseling, Rehabilitation Counseling, Psychology, Sociology, Social Work, Vocational Guidance, Special Education or a related area.

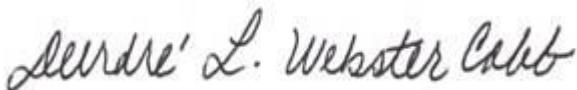
An independent review of all material presented indicates that the decision of the Division of Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his 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 2<sup>ND</sup> DAY OF SEPTEMBER 2020



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