

*In the Matter of Mary Hoffman,  
Instructor Counselor (PS1490I),  
Southern State Correctional Facility  
DOP Docket No. 2002-2002  
(Merit System Board, decided September 25, 2002)*

Mary Hoffman appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Instructor Counselor (PS1490I), Southern State Correctional Facility.

The promotional examination at issue was announced with specific requirements which had to be met as of the announced closing date of July 21, 2001 (see attached). The subject examination was cancelled on November 30, 2001 due to a lack of qualified applicants.

Ms. Hoffman indicated on her application that she was serving as a Principal Clerk Typist from March 1998 to the closing date. From November 1997 to March 1998 she was an Administrative Assistant with Correctional Behavior Solutions and between March 1993 and April 1997 she was a Claims Associate with Prudential Insurance. Ms. Hoffman was a part-time Customer Service Associate with Wawa, Inc. from August 1996 to December 1997 and served as an Accounts Receivable Clerk with Clement Pappas, Inc. between October 1991 and February 1993. From October 1987 to February 1991 she was an Administrative Assistant with Cumberland Association for Retarded Citizens. The appellant was a Computer Teacher with the Immaculate Conception School from April 1986 to June 1987 and was a Volunteer Swimming Instructor with the YMCA from September 1977 to September 1986. Ms. Hoffman possesses an Associate's degree in Office Systems Technology and indicated that she is working towards her Certificate in Criminal Justice. As part of her original application, Ms. Hoffman submitted her transcripts from Cumberland County College that indicated she completed 93 college credits at the 100 and 200 level.

On appeal, Ms. Hoffman states that she has instructed inmates regarding various programs as part of her duties with the Classification Department. She also states that she has instructed computer classes and was a volunteer swimming instructor for nine years. Additionally, she states that she has been responsible for instructing fellow employees in her various jobs throughout her career. As per the substitution clause for education, Ms. Hoffman asserts that she has three years of relevant experience based on her 93 college credits from Cumberland County College.

## CONCLUSION

In the present matter, the record demonstrates that Ms. Hoffman has not documented applicable experience. As per the substitution clause for education, Ms. Hoffman would need five years of relevant experience to qualify for the examination. However, experience primarily in counseling, teaching, and/or guidance in an organized educational program would be considered out-of-title work for incumbents in the Principal Clerk Typist title. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements. Ms. Hoffman has not provided supervisory documentation that she has primarily performed the out-of-title duties. With respect to her experience as a Volunteer Swimming Instructor, recreational instruction of this type does not have a primary focus of social adjustment nor is it considered formal classroom instruction. Regardless, Ms. Hoffman did not indicate how many hours a week she spent performing these volunteer duties and the Division of Selection Services was unable to prorate her experience in this position. Regarding her experience as a Computer Instructor, Ms. Hoffman only indicated that she was a Computer Instructor for 4<sup>th</sup> and 5<sup>th</sup> grade students and did not detail either specific duties she performed or if she performed these duties during the summer months.

With respect to her education, Ms. Hoffman was incorrectly credited with only two years of relevant experience for her Associate's degree and should have been credited with three years and one month of experience for her completion of 93 credits. Incomplete Bachelor's degrees are only awarded scoring/eligibility credit for up to a maximum of 105 completed college credits, regardless of the level of the coursework. Nevertheless, even assuming *arguendo* that her experience as a Computer Instructor would be considered appropriate, the maximum credit she could receive would be one year and three months of experience. Therefore, she would only have four years and four months of relevant experience by the announced closing date. As such, Ms. Hoffman is not eligible for the subject examination.

A thorough review of all material presented indicates that the determination of the Division of Selection Services, that the appellant did not meet the announced requirements for eligibility by the examination closing date, is supported by the record. Thus, appellant has failed to support her 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.