



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

In the Matter of Garyn Nathan, Supervising Program Support Specialist Assistance Programs (PS21521), Department of Corrections

Examination Appeal

CSC Docket No. 2016-4023

ISSUED: NOV 16 2016 (SLK)

Garyn Nathan appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Supervising Program Support Specialist Assistance Programs (PS21521), Department of Corrections.

The examination at issue was announced with specific requirements that had to be met as of the February 22, 2016 closing date (see attached). A total of three employees applied for the examination and all three were deemed ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

On Mr. Nathan's application, he indicated that he was an Executive Director for 20 hours per week for Kids Beyond the Bend from January 2015 to the February 2016 closing date, provisionally served in the subject title from October 2015 to the February 2016 closing date, a Classification Officer 2 from July 2005 to October 2015, an Intensive In-Community Clinician, BA, Parent Coach for The Youth Success Network for 20 hours per week, and a Communications Operator from August 2002 to July 2005. He also indicated that he possesses a Master's degree in Social Work. Personnel records indicate that he was provisionally serving in the subject title from October 2015 to the February 22, 2016 closing date, a Classification Officer 2 from July 2008 to October 2015, a Classification Officer Apprentice from July 2005 to July 2008, a Communications Operator Secured Facilities from February 2003 to July 2005, and a Communications Operator Trainee from August 2002 to February 2003. Agency Services credited him with

having met the education and general experience requirements and having one year and one month of supervisory experience, but determined that he lacked 11 months of the required supervisory experience.

On appeal, Mr. Nathan highlights that he has a Master's degree in Social Work and reiterates that he is currently performing supervisory duties while serving provisionally in the subject title as well as in his employment as an Executive Director for 20 hours per week for Kids Beyond the Bend.

### CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. Further, *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.

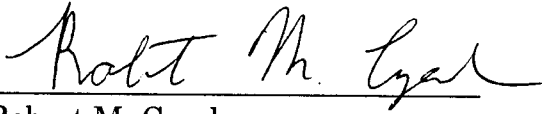
Based on his application, Agency Services correctly determined that Mr. Nathan did not meet the required supervisory experience as of the February 22, 2016 closing date as he only had 13 months of supervisory experience based on prorating his supervisory experience as an Executive Director for 20 hours per week (13 months \* .57 percent of a 35-hour work week = 8 months) and 5 months of supervisory experience while serving provisionally in the subject title. However, the appellant gained the additional supervisory experience while serving part-time as an Executive Director and serving provisionally in the subject title to satisfy the supervisory experience requirement after the closing date. Moreover, the record evidences that the examination was cancelled due to a lack of qualified candidates. Further, he continues to serve provisionally in the title under test. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept Mr. Nathan's supervisory experience after the closing date, for eligibility purposes only, and admit him to the subject examination.

### ORDER

Therefore, it is ordered that the 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 10<sup>th</sup> DAY OF NOVEMBER, 2016





Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Director  
Division of Appeals and Regulatory Affairs  
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Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

Attachment

c: Garyn Nathan  
Elizabeth Whitlock  
Lisa Gaffney  
Kelly Glenn  
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE PROMOTIONAL ANNOUNCEMENT	 New Jersey Civil Service Commission	<a href="#">Click here to file Online</a>  Print <b>\$25.00 PROCESSING FEE REQUIRED</b> Make Check/Money Order Payable to NJCSC
SYMBOL: <b>PS21521</b> TITLE: <b>SUPERVISING PROGRAM SUPPORT SPECIALIST ASSISTANCE PROGRAMS</b> ISSUE DATE: <b>February 01, 2016</b> TITLE CODE: <b>62104D/BIRXR9</b> DEPARTMENT: <b>COA/CORRECTIONS</b> UNIT SCOPE: <b>1197 Division of Programs and Community Services</b>	WEIGHT CODE: * SALARY: <b>\$74,252.00 - \$105,891.00</b> CLOSING DATE: <b>February 22, 2016</b> CLASS CODE: <b>29</b>	
Visit <a href="http://www.state.nj.us/csc">www.state.nj.us/csc</a> And select "Job Announcements" to view this announcement and to file an application		
<b>Open to employees in the competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):</b>		
<b>Program Support Specialist 1 Assistance Programs</b>		
<b>Or to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:</b>		
Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.		
Applicants who do not possess the required education may substitute additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.		
Experience: Four (4) years of experience in a public or private agency having responsibility for analyzing, monitoring, maintaining or implementing social service, economic assistance, community service, sustenance (food), or any other human support/assistance program, two (2) of which shall have been in a supervisory capacity.		
Note: A Master's degree in Social Work, Psychology, Education, Public Administration, Business Administration or a related field may be substituted for one (1) year of the required non-supervisory experience. You must indicate the details of your Master's degree on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.		
License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.		
<b>Note: This announcement may be tested via the Supervisory Test Battery, a computer-administered exam. For information regarding the Supervisory Test Battery, please refer to our website <a href="http://www.state.nj.us/csc/seekers/about/steps/step7.html">http://www.state.nj.us/csc/seekers/about/steps/step7.html</a>.</b>		
<b>IMPORTANT INFORMATION</b>		
<ol style="list-style-type: none"> <li>1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.</li> <li>2. <b>ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.</b> Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.</li> <li>3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.</li> <li>4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title <b>SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.</b></li> <li>5. In accordance with Public Law 2010 c.26, <b>Veterans pay a reduced application fee of \$15.00</b> if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. <b>PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.</b></li> <li>6. <b>SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.</b></li> <li>7. <b>If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: <a href="mailto:OAS.support@csc.state.nj.us">OAS.support@csc.state.nj.us</a> or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.</b></li> </ol>		

DPF-256A \* Revised 03/09