



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE  
ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Susan Bilder, Client  
Services Representative (S0870T),  
Statewide

Examination Appeal

CSC Docket Nos. 2016-3952

ISSUED: **DEC 14 2016** (SLK)

Susan Bilder appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the open competitive examination for Client Services Representative (S0870T), Statewide.

The examination at issue was announced with specific requirements that had to be met as of the December 3, 2015 closing date (see attached). A total of 341 applicants applied for the subject examination and 174 were deemed eligible to compete in a written examination.

Ms. Bilder indicated on her application that she was a Human Services Specialist 2 from July 2003 to the December 3, 2015 closing date. She also indicated that she possessed a Bachelor's and Master's degree. Personnel records indicate that she was a Social Worker from January 2015 to the December 3, 2015 closing date, a Human Services Specialist 2 from August 2008 to January 2015, a Social Worker from May 2008 to August 2008, a Human Services Specialist 2 from August 2004 to May 2008, and a Human Services Specialist 1 from May 2002 to August 2004.

On appeal, Ms. Bilder presents that she has been employed by Monmouth County since May 2002 and describes how she works directly with the public to provide support services for various social services. She states that her work involves using written and oral communication skills, reviewing applications and documentation received from clients, and performing calculations. She maintains that she submitted her prior experience as a Social Worker for Westchester County,

New York on her original application, but was informed that this information was not included on her application. She disputes the finding that her experience as a Human Services Specialist 2 is not applicable because it is considered para-professional experience as she believes her work in this position providing direct support services should meet the requirements. She outlines her experience as a Caseworker in New York and asserts that this was a professional position which required a Bachelor's degree. Therefore, she requests that this experience be considered when determining her eligibility for the subject examination.

In a supplemental submission, she states that she spoke to someone from the Division of Appeals and Regulatory Affairs (DARA) who advised her that the only way her experience that was not included on her original application could be considered is if she filed an appeal. Consequently, she paid \$20 and filed an appeal. Thereafter, she received a letter from DARA explaining that since her experience as a Caseworker was not included on her original application, it could not be used to determine her eligibility in this matter. Therefore, she asserts that the only reason that she filed the appeal and spent \$20 was because she was advised that her Caseworker experience would be considered on appeal. As such, she requests that she be determined eligible for the subject examination. In the alternative, if she is still not considered eligible for the position, she requests that the \$20 appeal fee and \$25 application examination fee be refunded.

## CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date.

*N.J.A.C.* 4A:4-2.17(a) provides that a \$25 processing fee shall be charged for each open competitive and promotional examination application.

*N.J.A.C.* 4A:2-1.8(a) provides that a \$20 processing fee shall be charged for appeals.

*N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

A review of the record indicates that Agency Services correctly determined that the appellant is not eligible for the subject examination. Agency Services credited the appellant with having met the educational requirements, but determined that she lacked two years of experience. The appellant argues that, as a Human Services Specialist 2, she is providing direct support to persons and families in need of social services at a professional level and therefore she should be deemed eligible for the subject examination. However, the Human Services Specialist 2 title

requires 60 college credits, not a Bachelor's degree. Under *N.J.A.C. 4A:4-2.5(a)1*, professional titles require a Bachelor's or higher level degree. As such, the appellant's experience in this title is considered para-professional experience and is not considered at the professional level. See *N.J.A.C. 4A:4-2.5(a)2*. Further, a review of her application does not indicate that she listed her experience as a Social Worker in Westchester County, New York. *N.J.A.C. 4A:4-2.1(f)* provides that an application may only be amended prior to the announced closing date. That is, any documentation indicating work in any setting that was not previously listed on an application or resume cannot be considered after the closing date. See *In the Matter of Joann Burch, et al.* (MSB, decided August 21, 2003) and *In the Matter of Rolanda Alphonso, et al.* (MSB, decided January 26, 2005).

Additionally, the appellant argues that she was advised that if she filed an appeal her experience as a Caseworker would be considered. Therefore, she contends her application and appeal fees should be refunded if her eligibility appeal is denied. According to dictionary.com, the definition of "consider" is, "to think carefully about, especially in order to make a decision; contemplate; reflect on." In other words, the word "consider" does not mean that the appellant's Caseworker experience should automatically be included as applicable experience since she filed an appeal and paid the appeal fee. Instead, the Commission, with a complete file to review, has reflected upon the appellant's request to include her experience that was not initially included on her application and does not find that there is "good cause" to relax the rules and amend her application after the closing date. As stated above, there is no evidence that DARA "misinformed" the appellant. However, even if there was a misunderstanding as to what DARA advised regarding the appeal process, the application fee is a processing fee to off-set the costs involved in reviewing her application and therefore is not refundable. See *In the Matter of Maria Davis* (MSB, decided August 10, 2005) (Filing fee that is required for each application for an open competitive or promotional examination is a processing fee, does not guarantee that applicant will be admitted to an examination, or, if admitted, appointed to the position, and is non-refundable, except in cases of the cancellation of the examination or untimely filing of an application). Similarly, the appeal fee is a processing fee used to help off-set the costs of reviewing her appeal and is not refundable.

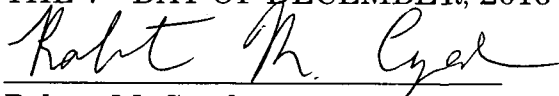
Therefore, there is no basis to disturb the decision of Agency Services or to refund her application and appeal fees. Accordingly, Ms. Bilder has not met her burden of proof in this matter.

#### 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 7<sup>th</sup> DAY OF DECEMBER, 2016



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

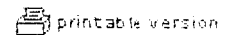
Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

Attachment

c: Kelly Glenn  
Records Center



## Job Announcements



Symbol: S0870T

Title: CLIENT SERVICES REPRESENTATIVE

Issue Date: 11/12/2015

Closing Date: 12/03/2015

Jurisdiction: STATE

Salary: \$51,529.95 - \$72,953.46 Per Year

Num. of Positions: 1

Workweek: 35 Hours per week

Application Fee: \$25.00

### OPEN TO RESIDENTS OF:

New Jersey

### REQUIREMENTS:

**EDUCATION:** Graduation from an accredited college with a Bachelor's degree.

**Foreign transcripts must be evaluated by a recognized evaluation service. Please upload a copy of your evaluation with your application. Failure to do so will result in ineligibility.**

**EXPERIENCE:** Two (2) years of professional experience providing direct and/or support services to the persons and families in need of social services.

**NOTE:** Applicants who do not possess the required education may substitute experience as indicated on a year for year basis.

**LICENSE:** Appointee 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.

**Customer Care and Technical Support:** If you are having difficulty submitting your application online, customer care and technical support 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: [OAS.support@csc.nj.gov](mailto:OAS.support@csc.nj.gov) 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.

### IMPORTANT INFORMATION:

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
6. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq) or their claim is approved by DMAVA at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.
  - Read Description of Job and Specification: **00632**
  - **Click here to apply via the Online Application System**

