

B-77



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Lola Walker,
Software Development Specialist 2
(PS6744K), Department of Human
Services

Examination Appeal

CSC Docket No. 2017-117

ISSUED: **DEC 13 2016** (RE)

Lola Walker appeals her score for the Software Development Specialist 2 (PS6744K), Department of Human Services promotional examination. It is noted that the appellant failed the examination.

The subject 90 question multiple-choice examination was administered on June 2, 2016. The appellant correctly answered 24 questions, and the passing point was 45. As such, the appellant failed the examination. It is noted that three candidates passed the examination, the list was certified once, but no appointments have yet been made.

The appellant appeals her score. Specifically, she states that she has the necessary education and experience to hold the position, and she provides documents relating to her education, a resume, and some work samples.

CONCLUSION

The record establishes that the appellant was scheduled to take the written portion of the examination on June 2, 2016 and subsequently failed it. The appellant knew she was to take an examination, and did not contest this fact until July 13, 2016, after she received her examination results. The appellant cannot be placed on the eligible list based on an evaluation of her education and experience. Rather, her score was formulated from her responses to the questions on the examination. It is well settled that, as part of the process of selection and appointment, a candidate must establish eligibility by demonstrating possession of

the applicable experience and/or education requirement *and* pass an examination. *See In the Matter of Bindu Shah* (MSB, decided May 19, 2004). The appellant's score was based on her responses, and her education and experience have no bearing on this matter. All eligible candidates were required to take the same examination, and are placed on the eligible list according to their final scores.

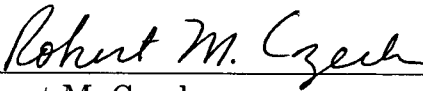
A thorough review of the record indicates that the determination of the Division of Agency Services was proper and consistent with civil service regulations, and that the appellant has not met her burden of proof in this matter.

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.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION
THE 7th DAY OF DECEMBER, 2016



Robert M. Czech
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