



STATE OF NEW JERSEY

In the Matter of Akshay Patel,
Network Administrator 1, Office of
Information Technology (PS6020U)

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

CSC Docket No. 2022-1094

Examination Appeal

ISSUED: MARCH 4, 2022 (SLK)

Akshay Patel appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the education requirements for the promotional examination for Network Administrator 1, Office of Information Technology (OIT) (PS6020U).

The subject examination's closing date was July 21, 2021. The education requirement was a Bachelor's degree which must include a minimum of 18 semester hour credits in Mathematics and/or Computer Science. The experience requirements were three years of experience in the development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN), Storage Area Networks (SAN), and/or Wide Area Networks (WAN) environments. Applicants who did not possess the Bachelor's degree but possessed the 18 semester hour credits could have substituted additional experience on a year-for-year basis with 30 semester hour credits being equal to one year of experience. Evidence of formal training in Computer Science/Information Technology received at an accredited institution could have been submitted with the application for evaluation for possible credit. These training courses were to be examined to see how they compare, both in hours/content, to college courses to which they equate, 16 training hours being equal to one college credit. In house training courses were not to be accepted as meeting these criteria. A total of seven employees applied and two were determined eligible. Certification PS211284 was issued containing the names of the two eligibles and one was appointed. The list expires on November 3, 2024.

On the appellant's application, he indicated that he had a Bachelor's degree. He also indicated that he received a diploma in computer networking and security from Anthem Institute, and other computer training and computer-related vendor certifications. Further, the appellant indicated that he was provisionally serving in the subject title from February 2020 to the July 21, 2021 closing date, an Information Technology Specialist from January 2018 to February 2020, a Security Engineer for Comcast from March 2014 to January 2018, a Security Analyst/Technical Head for Wipro Limited from May 2013 to March 2014, a SRC Analyst for Pyramid Consultants from February 2013 to May 2013, a Mailroom Clerk for Mail Place from June 2011 to February 2013, a part-time Vendor Specialist for Macy's from April 2009 to February 2013, a Teller for Wachovia-Wells Fargo from March 2010 to December 2010, a part-time Service Technician for Go2IT/Accu Staffing/Modies from April 2009 to February 2010, a part-time Customer Service/Firedog Service Technician for Circuit City from November 2007 to March 2009, a Sales Associate for Macy's from November 2006 to October 2007, a Senior Home Loan Officer for HDFC Bank Home Loan Service from April 2005 to April 2006, and a Sales Agent for Kotak Mahindra Bank from December 2004 to April 2005. Agency Services credited him for having met the general Bachelor's degree and experience requirements, but determined that he lacked five specialized credits in Mathematics or Computer Science.

On appeal, the appellant submits the evaluation of his foreign transcript. He notes that when he was hired as an Information Technology Specialist, his foreign transcript was evaluated as being sufficient for that title. The appellant highlights classes that total 28 credits that he believes meets the 18 credit requirement (three credits for Engineering Mathematics 1, three credits for Engineering Mathematics 2, three credits for 2nd year Mathematics and Statistics, four credits for Computer Programming, four credits for Management Information Systems (MIS), four credits for Computer Aided Design (CAD), four credits for Operations Research, and three credits for Advance Techniques in Operations Research). He attaches the syllabi for the MIS, CAD, and Operations Research courses. The appellant asserts that Operations Research courses are considered Applied Mathematics. He emphasizes that his experience and education were sufficient when he first started working for the appointing authority, he was found eligible for a Data Processing Systems Programmer 2 examination, after a position classification review by this agency he was found to be performing the duties of the subject title, and in response, the appointing authority provisionally appointed him to the subject title. The appellant also highlights his diploma and 58 credits in Computer Networking and Security from Anthem Institute and his various professional and vendor certifications.

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. *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 purpose of Title 11A, New Jersey Statutes. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In this matter, Agency Services correctly determined that the appellant was not eligible as he did not clearly indicate that he has 18 college credits in Mathematics and/or Computer Science. Specifically, a review of the appellant's transcript indicates 13 applicable credits (three credits for Engineering Mathematics 1, three credits for Engineering Mathematics 2, three credits for 2nd year Mathematics and Statistics, four credits for Computer Programming). On appeal, the appellant contends that his four credits for MIS, four credits for CAD, four credits for Operations Research, and three credits for Advance Techniques in Operations Research meet the specialized credits requirement and submits the syllabi from these courses in support. However, while a review of the course descriptions for these classes indicate that they involved mathematics and/or computers, these course descriptions do not clearly indicate that a college would accept them as satisfying the requirements to be considered a Mathematics and/or Computer Science class. Additionally, there is no indication on his transcript that these classes were part of the Mathematics and/or Computer Science department. Moreover, he has not submitted confirmation from a Chair or a Head of a Department that a college or university would accept the suggested classes as Mathematics and/or Computer Science classes.

Similarly, regarding the appellant's credits from Anthem Institute, per the note on the announcement, these courses could have potentially been used to satisfy the specialized credits requirement. However, the presentation of these completed training courses must be in a form in which it can be evaluated to see how they compare, both in hours and content, to college courses to which they equate, and without this information, the coursework cannot be evaluated. See *In the Matter of Michael Arnas and Timothy Sheehan* (MSB, decided May 5, 2004). For example, along with his transcript, the appellant could have submitted the course catalog for these classes, but this was not done. See *In the Matter of Thomas F. Minch* (MSB, decided October 6, 2004). Concerning the appellant's vendor or other professional certifications, these are not mathematics and/or computer science classes from an accredited college or university. Referencing the appellant's comments that he met the requirements for other examinations, each examination is determined on the basis of each discrete announcement. If the appellant does not meet the requirements for the current announcement, prior eligibility for examinations for other job titles is not an indication of eligibility for the subject examination. Further, the fact that this agency determined that the appellant was performing the required duties during a

classification review is not a determination that he met the requirements for eligibility for the subject examination.

However, a review of the course descriptions for the appellant's MIS, CAD and Operations Research courses indicates that these courses used mathematics and/or were computer-related courses. Moreover, the appellant continues to successfully provisionally serve in the subject title, and the list is incomplete as there is currently only one name on the eligible. The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. *See Communications Workers of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998). Therefore, the Commission finds good cause under N.J.A.C. 4A:1-1.2(c) to relax the provisions of N.J.A.C. 4A:4-2.6(a) and accept the appellant's education, for eligibility purposes only, and admit him to the subject examination.

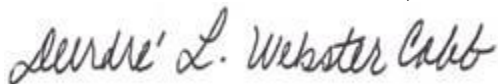
This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's application be processed for prospective employment opportunities only.

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 2ND DAY OF MARCH, 2022



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