

B-63



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of William Lang,
Director of Welfare (PC0348S),
Gloucester County

Examination Appeal

CSC Docket Nos. 2015-438

ISSUED: **OCT 27 2014** (SLK)

William Lang appeals the determination of the Division of Selection Services (Selection Services) that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Director of Welfare (PC0348S), Gloucester County.

The examination at issue was announced with specific requirements that had to be met as of the March 21, 2014 closing date (see attached). Mr. Lang was the only employee who applied for the subject examination that was cancelled due to a lack of qualified applicants.

Mr. Lang indicated on his application that he was provisionally serving in the subject title from December 2013 to the March 21, 2014 closing date, a Coordinator Child Support and Paternity Program from August 2010 to November 2013, a Social Work Supervisor from August 2000, and an Income Maintenance Worker/Social Worker¹ from November 1983 to August 2000. The appellant also possesses a Bachelor's degree. Selection Services credited Mr. Lang with having a Bachelor's degree and four months of experience based on his provisional service in the subject title, but determined his other experience was not applicable. Specifically, it commented that the appellant's experience as a Coordinator Child Support and Paternity Program was not at the level and scope of the required experience as he was not involved in setting organizational goals, planning organizational changes,

¹ Personnel records indicate that Mr. Lang was a Social Worker from September 1993 to July 2000 and an Income Maintenance Worker from March 1986 to September 1993.

and setting organization policy and his experience as a Social Work Supervisor was line supervision. Therefore, Selection Services determined that he lacked six years and eight months of experience.

On appeal, Mr. Lang presents that he has over thirty years of experience, including three years as an administrator of the Child Support department, and that he has served provisionally in the subject title since December 2013. The appellant states that he has three years of service in the food stamp department, three years of service in the TANF department, and six years of service in the Medicaid department. Mr. Lang highlights that he has 15 years of service in the Social Services department including 10 years as a supervisor. The appellant maintains that in this position he completed training in Adult Protective Services (APS). Further, as the supervisor for the APS program, Mr. Lang represents that he attended monthly APS meetings, maintained State APS standards, and ensured that department APS expenses were within the approved agency budget. Additionally, the appellant provides that he was the supervisor for Work First New Jersey which involved monitoring employment activities, scheduling quarterly meetings with county and State representatives, and ensuring compliance with regulations to assist clients back to work. Moreover, for over three years as the administrator in charge of Child Support (CSP) as a Coordinator Child Support and Paternity Program, Mr. Lang presents that his duties included implementing the CSP program by establishing standard operating procedures, maintaining communication with the Family and Probation divisions of the courts, submitting the yearly department budget, reviewing and implementing child support legislation/regulation, and ensuring staff compliance with child support regulations.

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.

Initially, Selection Services correctly determined that Mr. Lang did not meet the required experience as of the March 21, 2014 closing date. However, although Ms. Lang's experience does not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the totality of his varied levels of experience as a Coordinator Child Support and Paternity Program and Social Work Supervisor as far back as August 2000 warrants his admission to the subject examination. Additionally, the appellant continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applicants. Further, as evidenced by Selection Services' determination that the appellant is currently performing the duties of the title under test, the appointing authority has the need to fulfill the subject title. Therefore, under these

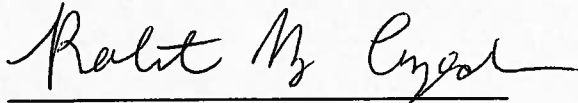
circumstances, good cause exists to relax the provisions of *N.J.A.C. 4A:4-2.6(a)* and accept the totality of Mr. Lang's experience, including his provisional experience after the closing date, and admit him to the subject examination. Accordingly, admitting the appellant to the subject examination will provide the appointing authority with an eligible list so that it can make a permanent appointment.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and that Mr. Lang be scheduled for an examination as soon as possible. If the appellant achieves a passing score, his name should be added to the eligible list 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 22nd DAY OF OCTOBER, 2014



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
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: William Lang
Chad Bruner
Dan Hill
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION
 COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC

SYMBOL: PC0348S

WEIGHT CODE: *

TITLE: DIRECTOR OF WELFARE

SALARY: \$102,500.00

ISSUE DATE: March 01, 2014

CLOSING DATE: March 21, 2014

TITLE CODE: 01650/ C6RHR8

JURISDICTION CODE: C0800023

JURISDICTION: GLOUCESTER COUNTY

DEPARTMENT: SOCIAL SERVICES

RETURN COMPLETED APPLICATIONS TO: **ONLY ON LINE APPLICATIONS
 WILL BE ACCEPTED
 FOR THIS ANNOUNCEMENT**

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date and are currently serving in the following title(s):

Deputy Director of Welfare 01503

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:

Education: Graduation from an accredited college or university with a Bachelor's degree supplemented by a Master's degree. You must indicate the details of your degree's 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 Bachelor's degree may substitute additional experience as indicated below, applicable experience on a year for year basis, with thirty (30) semester hour credits being equal to one (1) year of experience.

Applicants who do not possess the required Master's degree may substitute one (1) additional year of experience.

Experience: Six (6) years of experience in program management which shall have involved setting organizational goals and objectives, establishing or determining need for and planning organizational changes, setting organizational policy and developing operational and procedural guidelines and supervision of staff.

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.

Note: This announcement may be tested via the Management Test Battery (MTB). Under the guidelines of the MTB program, an applicant's score will be retained and applied to subsequent promotional or open competitive announcements for titles tested under this program. For information regarding the Management Test Battery, please refer to our website <http://www.state.nj.us/csc/seekers/about/steps/step7.html>

NOTE: As of December 1, 2013, applications must be completed and submitted by 4:00 pm on the closing date.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
2. **YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** 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.
3. This examination is open to full-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, the resulting list may be used to fill either work week position.
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 **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
5. In accordance with Public Law 2010 c.26, Veterans pay a reduced application fee of \$15.00 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. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.** (i.e. Police, Fire, Corrections and Sheriff).
6. **SAVE ON POSTAGE! GO PAPERLESS! RECEIVE IMMEDIATE CONFIRMATION THAT YOUR APPLICATION HAS BEEN RECEIVED!** You can now file an application for this examination on-line. Visit the Civil Service Commission website at <http://info.csc.state.nj.us/epoa>. Select the promotional announcement and click on the link, "Click Here to file Online" at the top of the announcement. You can now complete and submit your application and payment on-line to the Civil Service Commission and you will receive an immediate receipt confirmation!

DPF-256A * Revised 03/09