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B-34



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Jasmine Amberths,
Senior Data Processing Programmer
(PM0963R), Vineland

Examination Appeal

CSC Docket No. 2014-646

ISSUED: NOV 20 2014 (BS)

Jasmine Amberths appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Senior Data Processing Programmer (PM0963R), Vineland.

The promotional examination at issue was announced with experience requirements which had to be met as of the announced closing date of March 21, 2013. Specifically, this examination was announced with the following requirements:

EDUCATION:

Graduation from an accredited college or university with an Associate's degree in Data Processing Technologies, Computer Programmer Technologies, or Computer and Information Sciences.

EXPERIENCE:

Three years of experience in designing and preparing programs for electronic data processing equipment utilizing current operating systems.

NOTE: Possession of Master's degree in Computer Science from an accredited college or university may be substituted for two years of the indicated experience.

NOTE: Possession of a specific Bachelor's degree in Computer Science from an accredited college or university may be substituted for one year of the indicated experience.

NOTE: Possession of a general Bachelor's degree from an accredited college or university may be substituted for the Associate's degree.

SPECIAL NOTE: SUBSTITUTING EXPERIENCE FOR EDUCATION

Experience in the study of work methods and processes, analysis of varied types of data, design and preparation of systems and programs, operation of multiprogramming computer systems and work in data processing support areas of input/output control, scheduling, or reliability support may be substituted for the required education on a year-for-year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

NOTE: Formal training in data processing received at an accredited institution may be submitted with your application for an evaluation by the Civil Service Commission for possible credit. These training courses will be examined to see how they compare, both in hours and content, to college courses to which they equate. "In-house" training courses will not be accepted as meeting this criteria; thus, they will not be evaluated.

Records indicate that the subject promotional examination was cancelled on September 13, 2013 due to a lack of qualified applicants.

The appellant filed an application on which she indicated that she possessed a Master's degree in Information Systems, a Bachelor's degree in Information Technology, and experience as a provisional Senior Data Processing Programmer (7/12 to the closing date), Data Processing Programmer (10/11 to 6/12), and Data Processing Programmer Technician (11/07 to 9/11). The Division of Selection Services concluded that the appellant satisfied the basic education requirement (the equivalent of an Associate's degree in Computer and Information Sciences) but only possessed one year and six months of applicable experience as a provisional Senior Data Processing Programmer and Data Processing Programmer as of the closing date. None of the appellant's remaining positions involved any in-title responsibilities in the required areas. Although the appellant possessed a Master's degree in Information Systems and a Bachelor's degree in Information Technology, neither of these disciplines was specified in the substitution clause for experience so

they were not accepted. As a result, the Division of Selection Services found the appellant ineligible for the subject promotional examination.

On appeal, the appellant asserts that she satisfies the subject requirements. In this regard, the appellant argues that she earned a Master's degree in Information Systems and a Bachelor's degree in Information Technology and that her educational background should be substituted for two years of the required experience, thereby qualifying her to sit for the subject promotional examination.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that the Civil Service Commission may relax a rule for good cause, in a particular circumstance, in order to effectuate the purposes of Title 11A of the New Jersey Statutes Annotated. *N.J.A.C.* 4A:4-6.3(b) provides that, except for medical or psychological disqualification appeals, the appellant shall have the burden of proof.

As of the closing date, the appellant satisfied the basic education requirement (the equivalent of an Associate's degree in Computer and Information Sciences) but only possessed one year and six months of applicable experience as a provisional Senior Data Processing Programmer and Data Processing Programmer. On appeal, the appellant argues that she earned a Master's degree in Information Systems and a Bachelor's degree in Information Technology, which should be substituted for two years of the required experience and qualify her for the subject promotional examination.

In the instant matter, the Commission notes that the appellant continues to successfully serve as a provisional in the subject position, the subject promotional examination has been cancelled due to a lack of qualified applicants and, therefore, this is not a competitive situation. Additionally, the appellant possesses a Master's degree in Information Systems and a Bachelor's degree in Information Technology. While these degrees are certainly related to the Computer Science degree indicated in the experience substitution clauses, there are differences. However, both Information Technology and Information Systems are related to Computer Science and there is some cross-over. Computer Science tends to be more geared toward programming information, while Information Technology and Information Systems tend to focus on the practical application of computers and broader business functions and requires less math than Computer Science. However, the Commission notes that the base educational requirement for the subject title allows for the possession of an Associate's degree in either Data Processing Technologies, Computer Programmer Technologies, or Computer and Information Sciences. In the interest of consistency and widening the pool of applicants for this title, the

Commission directs the Division of Classification and Personnel Management to explore including the Information Technology and Information Systems degrees in the Bachelor's and Master's in the substitution clauses for this title.

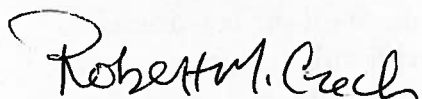
If the appellant's Master's degree in Information Systems and Bachelor's degree in Information Technology were accepted as substitutions in the instant situation, it would provide the appellant with sufficient experience to be admitted to the subject promotional examination. Under these circumstances, the Commission accepts the appellant's Master's degree in Information Systems and a Bachelor's degree in Information Technology per the above substitution clauses for experience, which will allow her the opportunity to be tested and be considered for a permanent appointment to the subject title.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed as soon as possible. It is further ordered that the Division of Classification and Personnel Management review amending the Bachelor's degree and Master's degree substitution clauses for Senior Data Processing Programmer to include the fields of Information Technology and Information Systems.

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 19TH DAY OF NOVEMBER, 2014



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