

B-35



STATE OF NEW JERSEY

In the Matter of Delores Vandegrift,
Public Health Nurse (M0220S),
Hamilton

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

CSC Docket No. 2015-288

Examination Appeal

ISSUED: DEC 17 2014

(RE)

Delores Vandegrift appeals the determination of the Division of Selection Services (DSS) which found that she did not meet the experience requirements for the open competitive examination for Public Health Nurse (M0220S), Hamilton.

The subject examination announcement was issued with a closing date of May 1, 2014, and was open to residents of Hamilton Township who met the announced requirements. These requirements included graduation from an accredited college with a Bachelor's degree in Nursing or Public Health Nursing Science approved by the National League for Nursing, *and* one year of experience in a public health field, or nursing experience gained while working under the close supervision of a licensed public health nurse. Nursing experience in a public health field may include experience with volunteer work, community service, or employment with the Visiting Nurse Association, hospital or other community-based public health partner agency, organization or health department that provides direct public Health Services to the population, or that contracts such services to local health departments. Applicants also had to possess a current and valid registration as a Professional Nurse in the State of New Jersey. The appellant was found to be below the minimum requirements in experience. No applicants were admitted to the examination, which was cancelled on August 8, 2014.

Ms. Vandegrift indicated that she possessed a Bachelor's degree in Nursing, and a valid registration as a Professional Nurse in the State of New Jersey. She listed an internship and one position on her application, which was three months in her provisional position.

On appeal, Ms. Vandegrift states that she volunteered as a Student Nurse in a public health pediatric clinic for four months in 1986, and that she volunteered as a nurse at the Hamilton Township Division of Health from January 2012 to May 2012 under the direction of a Public Health Officer. She states that she currently is a provisional in the subject title, and she attaches a resume which includes positions not originally included on her application.

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

CONCLUSION

Initially, the appellant was correctly deemed to be ineligible for the subject examination since she lacked nine months of required experience as of the closing date. The appellant was registered as a public nurse on September 1, 2012. Her experience as an intern, gained during the period of time that she was attending college, cannot be considered. Any internship performed as part of a college curriculum is considered education or training, and not work experience. *See In the Matter of Luisa Mena* (MSB, decided February 14, 2001).

The appellant submits additional positions that were not listed on her original application, however, pursuant to *N.J.A.C.* 4A:4-2.1(f), any supplemental information received after the closing date cannot be considered. In any event, a review of this experience indicates that it is not the same as the announced experience requirement. Most of the positions were as a Licensed Practical Nurse at medical centers or pediatric offices, and one position is a Lactation Consultant. None of this experience is applicable. From January to April 1986, for 10 hours per week, the appellant indicated that she volunteered at a public health pediatric clinic for uninsured children providing vaccinations. This amounts to one month of applicable experience. The appellant was credited with three months of experience in her provisional position, and was found to be lacking nine months of experience.

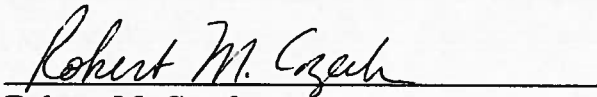
Nonetheless, the subject examination is non-competitive, with no eligibles. The appellant is still serving as a provisional appointee and she has accrued eight months of experience since the closing date in May 2014. Based on the particular circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.3(b) to accept the appellant's additional experience beyond the closing date and to relax the provisions of *N.J.A.C.* 4A:4-2.3(b), specifically, to exempt one month of experience, in order to qualify Ms. Vandegrift for this examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded and the appellant's application be processed.

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 17th DAY OF DECEMBER, 2014**



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