STATE OF NEW JERSEY

In the Matter of Susan Brown and
Chris DeMarco, Software
Development Specialist 2 (PS9905K),
Department of Human Services

CSC Docket Nos. 2014-2358
                  2014-2393

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

Examination Appeals

ISSUED: **JUL 1 6 2014**   (RE)

Susan Brown and Chris DeMarco appeal the decisions of the Division of Selection Services (DSS) that, per the substitution clause for education, they did not meet the experience requirements, for the promotional examination for Software Development Specialist 2 (PS9905K), Department of Human Services. These appeals have been consolidated due to common issues presented by the appellants.

The subject promotional examination announcement was issued with a closing date of July 22, 2013 and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the titles Information Technology Specialist and Software Development Specialist 1 and who met the announced requirements, OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and two years of programming, system analysis, or computer analysis experience. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis with 30 semester hour credits being equal to one year of experience. A Master's degree in an information technology field could be substituted for the one year of required experience. Four candidates were admitted, passed the examination, and appear on the eligible list, which has not yet been certified.

Ms. Brown indicated on her application that she possessed 110 college credits. Prior Commission decisions have consistently held that incomplete Bachelor's degrees are only awarded scoring/eligibility credit for up to a maximum of 105 completed college credits, regardless of the level of the coursework. *See In the Matter of Mary Hoffman* (Merit System Board, decided September 25, 2002) and *In the Matter of Jeffrey Booth and Jean Peterson* (Merit System Board, decided August 11, 2004). As such, she was credited with 105 credits which prorates to three years, six months of experience. As such, she was required to possess two years, six months of experience. She listed experience in seven positions: provisional Software Development Specialist 2, Data Processing Analyst 2, Technical Support Specialist 1, Principal Technician, Management Information Systems, Office Automation Specialist 2, Office Automation Specialist 3, and Senior Technician. She was credited with two years of experience in the first two positions. Thus, she was found to be lacking six months of qualifying experience.

On appeal, Ms. Brown argues that she accrued at least six years of applicable experience in her provisional position and as a Technical Support Specialist 1. She lists duties for each of these positions.

Mr. DeMarco indicated on his application that he possessed 75 college credits, although his college transcript indicates that he completed 82 credits, which prorate to two years, nine months of applicable experience. Thus, per the substitution clause for education, he was required to possess three years, three months of applicable experience. He listed two positions on his application and resume: Information Technology Specialist and Software Development Specialist Assistant. He was credited with two years, five months of experience in the second position, and found to be lacking ten months of qualifying experience.

On appeal, Mr. DeMarco argues that he performed applicable duties in both of his titles, which he describes.

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

CONCLUSION

A review of appellants' descriptions of duties in their positions indicates that each does not possess the required amount of applicable experience. In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). The announced experience

requirement was for programming, system analysis, or computer analysis experience. Ms. Brown's experience as a provisional Software Development Specialist 2 and Data Processing Analyst 2 matches this requirement. Her remaining positions do not.

Ms. Brown contends that her experience as a Technical Support Specialist 1 is applicable. In this regard, the definition section of the job specification for the title Technical Support Specialist 1 states:

> Under general supervision, in a mainframe environment, provides direct hands on support to a work shift of the Data Processing Operations unit involved in resolving production problems from verbal or written problem reports; consults with network management and systems programming staff for problem diagnosis, assistance, and resolution; monitors and allocates space on direct access storage devices; uses productivity aids in implementing and maintaining software, applications, and system libraries; OR in a client/server environment, provides hardware/software support to end users; installs hardware and software on servers and/or workstations; does other related duties.

On her application, Ms. Brown indicated that her duties in this position were to "develop and document specifications to CURAM software for CASS (DFD's new automated Data Processing System). Works closely with HP (the software vendor) and senior technical staff on the development of the CASS system using CURAM software. Prepares test plans and tests CASS modifications on an ongoing basis. Assists in the development of project change control requests for changes to the CASS system. Provides user training when required. Assists in the development of training plans. Communicates with senior technical staff and clients through e-mails and monthly meetings about system issues. Assists in the development of the CASS system as replacement for many existing systems. Analyzes agency practices to develop and document requirements for CASS by reviewing and analyzing agency practices on the CASS security team. Recommends security procedures from various state and local agencies for their systems based on review, analysis and audit results." She repeated these duties in her appeal. This appears to be system analysis work which is out-of-title work for a Technical Support Specialist 1.

Ordinarily, the Commission looks to whether or not "good cause" has been established in determining whether to grant or deny appeals involving out-of-title work. Generally, there is good cause where the record evidences that the examination situation is not competitive, no third parties are adversely impacted, and the appointing authority wishes to effect permanent appointments and verifies that the appellant has performed the relevant duties which otherwise satisfy the eligibility requirements. *See In the Matter of John Cipriano, et al.* (MSB, decided

April 21, 2004). In this case, as noted above, four candidates appear on the eligible list, which is a complete list. As such, a basis for accepting out-of-title experience has not been presented. Ms. Brown lacks six months of applicable in-title experience as of the July 2013 closing date.

As to Mr. DeMarco's experience, he claims he performed applicable duties as an Information Technology Specialist. The Information Technology Specialist is the starting title for different career paths in information technology, such as Data Processing Programmer, Data Processing Systems Programmer, Administrative Analyst DP, Data Processing Analyst, Technical Support Specialist, and Software Development Specialist, as well as Network Administrator. As such, the definition for this title contains several different areas of work, although an incumbent in the title will generally have duties pertaining to only one area.

Mr. DeMarco described his duties in this position as, "Main duties at this position are to help introduce new types of software that will simplify, bring stability and eventually replace the applications and data bases that are currently being used. Currently part of the team to assist in the rollout of the CASS and DIMS applications. These systems will retrieve all of the older mainframe based data for state programs and consolidate them into one application that will be more intuitive and user friendly. Other duties include supporting the IT Help Desk by solving PC, network and hardware problems that users are having and using Alloy Navigator to process and close helpdesk tickets." This most closely matches Technical Support Specialist duties of the second part of the definition. The first part of the appellant's description merely includes assisting in the introduction of software, and participation in a team assisting in the rollout of applications. The second part of this description is technical support. None of this involves programming, systems analysis, or computer analysis.

On appeal, the appellant provides additional duties for his Information Technology Specialist title which describe a different set of duties. He indicates that he assists in reengineering CASS for front end application design; assists in reengineering CURAM; familiarizes himself with defect solutions and technical design specifications; "assists" in the universal application process, an accepted common front-end program; reviews technical documentation to verify the information produced is accurate and complete for mainframe processing; compares program logic and on-line processes to the new CASS platform; assists middle management staff; prepares himself for the CASS conversion; recommends system software to facilitate conversion to CASS; works closely with private consultants to enhance reengineering efforts; provides assistance at the help desk; trains individuals to resolve production issues and troubleshooting installation incidents; as a liaison between county agency users and design developers. A review of these duties indicates that the primary focus is not programming, systems analysis or computer analysis. The appellant does not provide enough information regarding

his "assistance" in reengineering the data processing system or software, which could come in many different forms, but not necessarily programming, systems analysis or computer analysis. He does not mention programming or typical system and computer analysis work such as coding and testing specifications, or participation in system studies for developing or modifying systems. Overall, few of these duties appear to include analysis of systems or computers. In view of his initial description on his application, the appellant has failed to establish that this is qualifying experience. Mr. DeMarco lacks ten months of required experience.
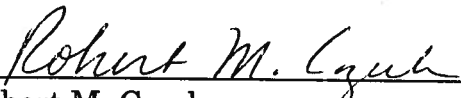
An independent review of all material presented indicates that the decisions of DSS that the appellants did not meet the announced requirements for eligibility by the closing date are amply supported by the record. The appellants provide no basis to disturb these decisions. Thus, the appellants have failed to support their burden of proof in these matters.

ORDER

Therefore, it is ordered that these appeals 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 COMMISION
THE 16th DAY OF JULY, 2014

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