

positions; Green Team Volunteer (part-time, 2 hours per week) with the Borough of Oaklyn; provisional Building Management Services Specialist 3; Project Coordinator with "DVGBC;" Sustainability and Energy Efficiency Associate with Ecolibrium Group.; Project Engineer with Irving Design Group (part-time, 30 hours per week); and Clean Energy Program Team Member with Rowan University (part-time, 6 hours per week). The appellant was credited with two months of experience in his provisional position, and was found to be lacking one year, ten months of qualifying experience.

On appeal, Mr. Moore provides clarification of his experience in each of his positions except for his provisional title. He lists the knowledge and abilities that he accrued in each, and he provides an expanded description of duties. He also requests that his experience after the closing date be accepted.

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.

CONCLUSION

At the outset, it is a basic principle of Civil Service law that, in order to be eligible for a position, an individual must meet or exceed the minimum education and experience requirements for such a position. The examination tests the applicants' knowledge, skills and abilities, and as such, these qualities are not considered in the review of the applications. Only the duties listed are used to determine if the applicant meets the minimum requirements for the examination. Also, it has been well established in prior Commission decisions that internships completed as part of a college curriculum are not considered professional experience. *See In the Matter of Joanne Perna* (Commissioner of Personnel, decided May 30, 1997) and *In the Matter of Luisa Mena* (MSB, decided February 14, 2001) (Internship completed as part of a college curriculum would be considered part of education or training, not professional work experience). The appellant's experience in the sixth position, as a Clean Energy Program Team Member with Rowan University, was an internship, and cannot be considered toward eligibility.

Next, qualifying experience has the announced experience as the primary focus. As to the other positions, as a Green Team Volunteer with the Borough of Oaklyn, the appellant's part-time work for 15 months at 2 hours per week prorates to one month of full-time experience. In this position, the appellant assisted in establishing a garden and secured a grant to fund the installation of a water line at the garden. As a Project Coordinator, the appellant administered a green building education program consisting of workshops, webinars, conferences and seminars, and coordinated a symposium. As a Project Engineer, the appellant performed storm water analysis and recommended sustainable storm water management

strategies. None of these positions has coordination and implementation of building management programs as the primary focus.

As a Sustainability and Energy Efficiency Associate with Ecolibrium Group, the appellant developed a sustainable action plan and report for a client to implement in their community to save on energy, water, waste and transportation costs. On appeal, the appellant indicates that the plan assisted the client to make their operations, buildings and properties more efficient and safe, and to reduce costs. While this experience may be related to building management programs, it is not clear that this is the primary focus of the position. The appellant refers to energy, water, waste recycling, and transportation, but does not specify that these costs are associated with building management. As such, this experience is broader in scope than the announced experience requirement. In addition, the appellant was developing a plan and a report, not coordinating and implementing a building management program. As such, this is not qualifying experience. In sum, the appellant lacks one year, ten months of qualifying experience as of the October 2013 closing date.

As to the appellant's request to consider his experience after the closing date, it is noted that this is a competitive examination with 13 admitted candidates. To accept his experience after the closing date would provide him with an unfair advantage over the other 14 candidates who were not admitted to the examination based on their education and experience as of the closing date. It also would not be fair to the 13 candidates who met the experience requirements by the closing date. In any event, that amount of time adds only an additional eight months of experience, and the appellant still does not meet the requirements.

An independent review of all material presented indicates that the decision of DSS, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal 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 COMMISSION
THE 16th DAY OF JULY, 2014



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