

B-98



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Trevor Anderson,
Assistant Biologist Wildlife
Management (S0660S), Statewide

CSC Docket No. 2015-1795

Examination Appeal

ISSUED: FEB -9 2015 (RE)

Trevor Anderson appeals the determination of the Division of Selection Services (DSS) which found that he did not meet the experience requirement for the open-competitive examination for Assistant Biologist Wildlife Management (S0660S), Statewide.

The subject open-competitive examination had a closing date of August 26, 2014 and was open to residents of New Jersey who met the requirements of graduation from an accredited college or university with a Bachelor's degree in one of the biological sciences, or a Bachelor's degree in Natural Resource Management with a major concentration in Fisheries Science and/or Wildlife Science, and one year of experience in wildlife biology and/or the development of wildlife management programs. A Master's degree in Wildlife Management or a related field could be substituted for the indicated experience. The appellant was found to be below the minimum requirements in experience. It is noted that the 38 applicants have been admitted to the examination, which has not yet been held.

On his application, the appellant indicated that he possessed a Bachelor's degree in Ecology and Natural Resources, and he listed two positions: Captain in the United States Marine Corps, and Technician with Veolia Environmental. He included a resume which clarified his duties in the United States Marine Corps. The appellant was a provisional in the subject title, but did not indicate this on his application and resume. Even if he had listed it, and this experience were accepted, he was appointed provisionally in April 2014. Thus, he had five months of experience in his provisional appointment by the August 2014 closing date. As he

did not include his provisional experience on his application, the appellant was found to be lacking one year of applicable experience.

On appeal, Mr. Anderson argues that he received a provisional appointment in April 2014 has been performing the duties of the title. He states that his experience as an Environmental Technician should be acceptable, and provides additional duties for that position. He indicates that he was responsible for the mitigation, sampling, and cleanup of chemicals and substances that were harmful, as well as provided technical guidance to customers for their concerns and adhering to regulations. He states that he was involved in reclamation, planning and mitigation of waste affecting soil and wildlife habitat, removing, testing and disposing of pollutants, and testing and planning for removal of spilled polychlorinated biphenyls (PCBs).

As an officer in the United States Marine Corps, he states that he spent three years as the Squadron Officer in charge of Safety/Hazmat/Environmental. In that position, he tested water and soil, monitored wind, geospatial information systems and radar systems for risks, and created and employed standard operating procedures for transportation and disposal of chemicals. He attaches a resume which further delineates his experience in civilian and military employment.

The appellant maintains that he has 41 applicable college credits in fisheries or wildlife science, and biology, and he provides his transcript and descriptions of courses.

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

Qualifying experience has the announced experience as the primary focus. The amount of time, and the importance of the duty, determines if it is the primary focus. On his application, the appellant described his position of Captain in the United States Marine Corps as "responsible for all administration and daily duties required of supervising a Marine Corps Support Platoon. Served as squadron Hazmat representative, laser safety representative, safety representative, and environmental representative." This description does not match that of experience in wildlife biology and/or the development of wildlife management programs, and the additional description provided on appeal does not support that this was the primary focus of this position.

Similarly, the primary focus of the appellant's position as a Technician with Veolia Environmental was the disposal, sorting, consolidating and cleaning up of hazardous waste and spills. The appellant improved the environment for wildlife,

but was not involved in wildlife biology and/or the development of wildlife management programs while in that position. The appellant does not possess a Master's degree in Wildlife Management or a related field, and the college credits that he earned are applied to the completion of his Bachelor's and Associate's degrees. A compilation of credits earned for a Bachelor's degree cannot be used in lieu of a specified Master's degree. The appellant lacks one year of qualifying experience as of the August 2014 closing date.

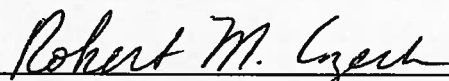
An independent review of all material presented indicates that the decision of DSS, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed 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 4th DAY OF FEBRUARY, 2015



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