

B-128



STATE OF NEW JERSEY

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

In the Matter of Merat Saba,
Training Technician (PC0556S),
Middlesex County Board of Social
Services

Examination Appeal

CSC Docket No. 2015-995

ISSUED: FEB + 9 2015

(RE)

Merat Saba appeals the determination of the Division of Selection Services (DSS) which found that he was below the experience requirements per the substitution clause for education for the promotional examination for Training Technician (PC0556S), Middlesex County Board of Social Services.

The subject examination announcement was issued with a closing date of April 21, 2014 and was open 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 possession of a Bachelor's degree from an accredited college or university, and one year of experience in employee development and training which shall have entailed the development of appropriate training courses and materials, conducting orientation, in-service, refresher, and employee development and training courses OR one year of experience as a teacher or instructor involving the development of course curriculum or lesson plans, preparation of course materials and conducting of classes in an adult education, vocational education, job training program, or elementary school through college. Candidates who did not possess the required education could substitute experience on a year for year basis, with 30 semester hour credits equal to one year of experience. The appellant was found to be ineligible based on a lack of applicable experience. There are two admitted applicants, but the examination has not yet been held.

On his application, Mr. Saba indicated that he possessed 90 college credits, which prorates to three years of experience. He listed experience in one position on

his application, Human Services Specialist 2. This was not accepted, and he was found to be lacking two years of applicable experience per the substitution clause for education.

On appeal, Mr. Saba requested that Civil Service Commission (Commission) staff check into his work background at the Middlesex County Board of Social Services, and his prior experience as a Substitute Teacher in Middlesex County. He also appealed the "unfair practice" of allowing individuals to be appointed to positions and promoted without testing and following normal procedures. Commission staff responded that pursuant to *N.J.A.C. 4A:4-2.1(f)*, any supplemental information received after the closing date cannot be considered. Mr. Saba was informed that his additional positions that had not been listed on his application were considered to be supplemental information, and could not be accepted after the closing date. He also had not provided all of the requested information for these positions, such as titles, duties, and the number of hours worked per week. With regard to "unfair practices," it was noted that Mr. Saba did not provide any details, and thus his claim could not be evaluated.

In response, Mr. Saba states that he did not misunderstand the announcement. He also contends that "it is traditional in governmental organizations globally to pass the responsibility to others," and that it is not his intention to name people appointed to positions that never took tests. He states that it is the Civil Service Commission's responsibility to look into such practices when it is reported or complained about.

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. *N.J.A.C. 4A:4-2.1(f)* provides that an application may be amended prior to the announced closing date.

CONCLUSION

A review of the appellant's application reveals that he does not meet the announced requirements. When an applicant indicates extensive experience in titles established under the State Classification Plan, it is appropriate to utilize the job specifications to determine the primary focus of the duties of incumbents serving in career service titles. In the eligibility screening process, reliance on the job specifications to determine the primary focus of duties for incumbents of a particular title or title series provides a standardized basis on which Selection Services can compare what an applicant indicates on his or her application to what incumbents in a particular title series generally perform. *See In the Matter of William Moore* (MSB, decided May 10, 2006). A Human Services Specialist 2

performs the field and office work involved in the collection, recording, analysis and evaluation of data, including employability, the medical status and the physical or mental health of clients, for the purpose of determining eligibility for program services; analyzes information on forms, applications and other financial assistance documents for completeness and accuracy; negotiates with absent parent to arrange a voluntary consent support agreement; conducts initial assessment of applicants employability and makes appropriate referrals; provides information to families and individuals to achieve self-sufficiency through employment opportunities and/or child support services; and performs duties involving more discretion and independent judgment than those performed by the Human Services Specialist 1.

On his application, the appellant listed the following duties for his Human Services Specialist 2 position: helping applicant with questions and completing the application, requesting and verifying information for intended programs, using state and Federal Computer Software to check provided information by applicant, calculating eligibility based on program guidelines, and approving or denying an application pursuant to program eligibility regulations. These duties generally match the job definition of his title, but do not match the announced experience requirement. As such, the appellant was appropriately found to be lacking two years of qualifying experience as of the closing date.

On appeal, the appellant states that he used to be a Substitute Teacher in Middlesex County. Nevertheless, he did not include this information on his application, and on appeal he did not provide any further information, such as the number of hours worked per week, the dates that he was employed, the number of staff he supervised, if any, and the major duties performed. Thus, his experience in this position cannot be quantified or qualified.

Lastly, the appellant objects to unfair practices of the Commission which allow individuals to be promoted without testing and following "normal procedures." He provides no support for this accusation except to say that the government passes responsibilities to others and he has no intention of providing any details, but that the Commission should look into it since he reported it and complained about it. In reply, without further information regarding any acts, events, or conditions specified, there is no basis for an investigation. Nothing can be inferred from the general statement given by the appellant, who appears to be complaining about improprieties which he is unwilling to disclose, and no legally competent evidence exists to support the appellant's claim.

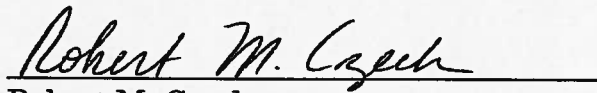
An independent review of all material presented indicates that the decision of DSS, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed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



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