

B-132



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Jerome Simmons,
Senior Youth Aide (C0451S) Bergen
County

Examination Appeal

CSC Docket No. 2015-1111

ISSUED: FEB -9 2015

(RE)

Jerome Simmons appeals the decision of the Division of Selection Services (DSS) which found that he did not meet the experience requirements for the open competitive examination for Senior Youth Aide (C0451S) Bergen County.

The subject examination had a closing date of June 20, 2014 and was open to residents of Bergen County, and contiguous counties, who possessed two years of experience in the care and custody of juveniles in an institutional setting. The appellant submitted an application with no experience listed. Eight candidates appear on the eligible list, which was certified once, but no appointments have yet been made.

On appeal, Mr. Simmons argued that he had met the requirements and provided information regarding the positions of his employment in his appeal. He stated that he has over 24 years of experience working in a Juvenile Detention Center, and has worked as a senior officer/sergeant. He provided Notifications of Eligibility and Certification for examinations for Senior Juvenile Detention Officer and Juvenile Detention Officer, as well as various certifications. Civil Service Commission staff responded that the appellant was determined to be ineligible for the examination as he did not complete his application. Specifically, no experience had been submitted. The appellant was advised that the online application process is automated and provides instructions to candidates on how to properly complete their applications. When an applicant clicks on the payment tab to submit their online application and they have not provided any experience, they receive a warning message as highlighted below. If the applicant does want to provide

experience, they must click 'Yes' to return to the experience section before submitting their application. If they do not have any experience to report, they click 'No' to complete and submit their application. The note on the appellant's application indicates that "during the application creation process, employment information was not entered into the experience section." If additional documents were provided by the closing date, this information is reviewed in determining eligibility.

Also, by clicking "yes," the appellant certified that his employment history was complete and accurate. A copy of the application as it appears online is as follows:

WARNING: APPLICATIONS USING THE ABOVE LINK

Once you submit your online application and application fee, you will not be able to go back to the application to add or modify your information. Your application fee cannot be refunded after your application is submitted.

I certify that the information I have provided in this application is complete and accurate.

Warning: The New Jersey Civil Service Commission (NJ CSC) may refuse to examine, or certify after examination, any applicant who makes a false statement of any material fact per NJAC 4A:4-6.2.

I understand that my application may be released to the Appointing Authority for the purpose of verifying information with regard to my qualifications.

I understand that once I submit my electronic application, I will not be able to make any changes to it. Any changes or additional information must be mailed to the NJ CSC by the announcement closing date.

! You have not provided any employment information in the Experience section. By clicking "Yes" you will be returned to the Experience section where you will be able to provide employment information. By clicking "No" you will be taken to the Payment section and will not be able to return to the Experience section.

The appellant was further informed that, pursuant to *N.J.A.C. 4A:4-2.1(f)*, any supplemental information received after the closing date cannot be considered, and that he submitted additional information on appeal that was not listed on his application. This is considered to be supplemental information, and cannot be accepted after the closing date.

The appellant responded that he has 24 years of service in a Juvenile Detention Center, and for 19 of those years he was a Senior Officer/Sergeant. He states that he graduated from Passaic and Bergen County academies, and that he has been certified by the State of New Jersey.

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

The appellant was denied admittance to the subject examination since he did not provide any experience on his application. Under *N.J.A.C. 4A:4-2.1(g)*, the Commission can accept clarifying information in eligibility appeals. However, *N.J.A.C. 4A:4-2.1(f)* provides that an application may only be amended prior to the announced closing date. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. See *In the Matter of Diana Begley* (MSB, decided November 17, 2004).

In addition, service in a particular title does not automatically establish that the applicant possesses the necessary qualifications for an examination. Applicants must demonstrate on their applications that the duties they perform provide them with the experience required for eligibility. See *In the Matter of Charles Klingberg* (Merit System Board, decided August 28, 2001). The Commission makes official determinations of eligibility for all prospective candidates for positions in State or local Merit System jurisdictions who are also required to pass a competitive examination and be certified in order to be considered for permanent employment in the competitive division of the career service. See *In the Matter of Jennifer Napoli* (MSB, decided February 24, 2004). Thus, the application is utilized to screen the candidate pool to ensure that applicants meet the minimum experience requirements for each position. The appellant did not provide any experience on his application and certified that his application was complete and accurate. Accordingly, there is no basis to accept the appellant's supplemental information after the closing date.

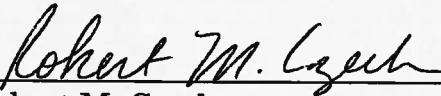
A thorough review of all material presented indicates that the decision of DSS, that appellant did not meet the announced requirements for eligibility by the examination closing date, is amply supported by the record and appellant provides no basis to disturb that decision. Thus, appellant has failed 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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