

B-47

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Jacyln Westerman-  
Strawder, Program Development  
Specialist, Community Service  
(C0387S), Ocean County

Examination Appeal

CSC Docket No. 2015-1235

ISSUED: **MAY 11 2015** (LDH)

Jacyln Westerman-Strawder appeals the determination of the Division of Selection Services (Selection Services) which found that she did not meet the experience requirements for the open competitive examination for Program Development Specialist, Community Service (C0387S), Ocean County.

The subject examination announcement was issued with a closing date of June 11, 2014. The examination was open to applicants who graduated from an accredited college or university with a Bachelor's degree. In addition, applicants had to possess one year experience in the development of programs designed to solve socioeconomic needs of the residents of the State and/or local communities which shall have included responsibility for research, negotiation, and/or writing proposals for community service programs. The resulting eligible list of two names promulgated on October 23, 2014 and expires on October 22, 2017. It is noted that a certification containing four names was issued on October 30, 2014.<sup>1</sup> The appointing authority returned the certification making no appointments and removing two of the listed eligibles.<sup>2</sup>

On her application, the appellant indicated she possessed a Bachelor's degree and was provisionally appointed to the subject title effective December 2013.<sup>3</sup> She

<sup>1</sup> The certification contains the names of one remaining eligible from the C0548R eligible, two eligibles from the C0387S eligible list and one eligible from the C0461P eligible list. The C0548R eligible list promulgated on November 14, 2013 and expires on November 13, 2016, and the C0461P eligible list promulgated on October 12, 2012 and expires on October 10, 2015.

<sup>2</sup> One of the remaining eligibles indicated that she was not interested in the salary for the subject position, but was retained on the eligible list. The other remaining eligible was interested but not appointed.

<sup>3</sup> Agency records reveal that the appellant was placed provisionally into the subject title on February 6, 2014.

also indicated that she was employed as an Animal Attendant from September 2012 to December 2013 and part-time as a Pharmacy Technician from August 2006 to August 2013. Based on the foregoing, Selection Services deemed her ineligible as she did not meet the one year experience requirement in program development by the June 11, 2014 closing date.

On appeal, the appellant argues that she possesses the minimum required experience. In support, she clarifies her duties and responsibilities for her employment history.

### CONCLUSION

*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. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation.

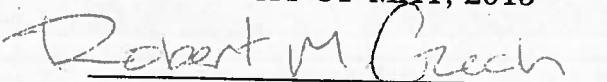
In this matter, Selection Services correctly determined that the appellant was ineligible for the subject examination because she did not possess one year of the indicated experience. However, the appellant was provisionally appointed to the title under test effective February 6, 2014 and continues to serve provisionally in that title. As there are only two eligibles on the remaining lists, good cause has been shown to relax the above rule. The Civil Service Commission finds that the appellant now possesses enough applicable experience based on her provisional service. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.3(b) and accept the appellant's provisional experience after the closing date, for eligibility purposes only, and admit her to the examination.

### ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's application be processed.

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 6<sup>TH</sup> DAY OF MAY, 2015



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