Bill



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Examination Appeal

In the Matter of Brian Byrd, Technical Support Specialist 1 (PS8941U), Office of Information Technology

CSC Docket No. 2015-3219

AUG 0 3 2015

(SLK)

ISSUED:

Brian Byrd appeals the validity of the promotional examination for Technical Support Specialist 1 (PS8941U), Office of Information Technology.

By way of background, 10 individuals applied for and nine were admitted to compete in the subject multiple-choice examination that was initially conducted on January 15, 2015¹. Candidates were required to answer 42 questions correctly to achieve a minimum passing score of 70. The appellant answered 34 questions correctly and did not pass the examination. The eligible list contains four names and expires on February 11, 2018.

On appeal, Mr. Byrd states that the test had a section asking project management questions but the position does not perform project management duties. The appellant provides that the project management portion of the subject examination took him at least 45 minutes of the allotted two hours for the examination which caused him to rush through the rest of the examination. Additionally, the appellant asserts that the examination did not test anything related to his current job duties which involve supporting Network Mainframe IP Access, Virtual Private Network. Mr. Byrd presents that the job specification for the subject title indicates that an incumbent, in a mainframe environment, provides direct hands on support to a work shift of the Data Processing unit in resolving

¹ Originally, the appellant was determined ineligible for the subject examination. However, in *In the Matter of Technical Support Specialist 1* (CSC, decided April 1, 2015), the appellant's eligibility appeal was granted and he took a make-up examination.

production problems from verbal or written reports. The appellant claims that he has been performing these duties for the past 12 years and maintains that there was not one question on the examination pertaining to supporting mainframes. Mr. Byrd states that he has been working provisionally in the subject title for almost three years and that his superiors would agree that he is working well beyond a satisfactory level. The appellant also provides specific examples of work that he performs that fit the description for the job specification for the subject test. Mr. Byrd also believes that he should be appointed to the subject title automatically based on his education and experience and claims that there are others with less experience than him who have been appointed to the title under test.

CONCLUSION

N.J.A.C. 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

The appellant presents that he is currently serving provisionally in the subject title and that he does not have any project management responsibilities in this position. He also indicates that he performs direct support in a mainframe environment. Consequently, the appellant argues that questions testing project management skills should not have been in the subject examination as they are not relevant to the position, and questions related to directly supporting a mainframe environment should have been tested. However, examinations are not geared to specific duties of particular positions or postings. Rather, the test content must fairly test all candidates who meet the requirements to be eligible to take the examination. Thus, examinations test the duties of a title, not the duties of specific positions. See In the Matter of Donald Cole, Docket No. A-5499-02T2 (App. Div. January 7, 2004). In this case, the unit scope for the subject examination consisted of three different units which perform disparate work duties.

Subject Matter Experts (SME's) who are most familiar with the duties of a Technical Support Specialist 1 conducted a job analysis and determined that a general, rather than technical examination would be the best test mode based on the disparate technical knowledge for each unit being tested. The SME's identified knowledge, skills, and abilities (KSA's) that were common to all three work units tested, which included analysis, interpersonal relations, written expression, and reading comprehension, and developed the test questions to evaluate these common KSA's. Project planning, such as scheduling a project timeline, was a KSA that was identified by the SME's as being applicable for all work units. Further, the definition section of the job specification for the subject title states that an incumbent, as a *lead worker* in a mainframe environment, provides guidance and direct hands on support to a work shift of the Data Processing Operations unit in resolving complex production problems from verbal or written problem reports. Therefore, as a lead worker, an incumbent serving in this title assigns and reviews

work of other employees on a regular and recurring basis to resolve problems with projects. See In the Matter of Henry Li (CSC, decided March 26, 2014). Consequently, testing project planning KSA's is consistent with the job specification for the subject title.

The appellant also asserts that he should have been appointed to the subject title solely based on his education and experience. While it is noted that the appellant needed to possess certain education and technical experience in order to be eligible to take the subject examination and therefore his background was considered in the eligibility process, N.J.A.C. 4A:4-2.2 provides considerable discretion to this agency to determine a specific test mode for an examination. As indicated earlier, for this examination, the SME's determined that a multiple-choice examination was the best test mode for the subject announcement. Further, the fact that the appellant's superiors may be satisfied with his job performance and that others with less experience have been appointed to the subject title is not relevant to the validity of the test, especially since the test was developed with input from the unit supervisors.

The appellant also argued that the project management section of the exam was too time-consuming as it took him at least 45 minutes to complete this section and therefore he did not have enough time to properly answer other sections of the exam. However, it is the candidate's responsibility to budget his time appropriately in order to complete the test within the given time limit.

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 29th DAY OF JULY, 2015

Robert M. Czech

Chairperson

Civil Service Commission

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