

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Angelina Ibacache, Supervisor of Recreation (PS3734H), Ancora Psychiatric Hospital

CSC Docket No. 2019-384

Examination Appeal

ISSUED: OCTOBER 5, 2018 (SLK)

Angelina Ibacache appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Supervisor of Recreation (PS3734H), Ancora Psychiatric Hospital.

:

The examination at issue was announced with specific requirements that had to be met as of the December 21, 2017 closing date. The education requirements were a Bachelor's degree with a major concentration consisting of 24 semester hour credits in one of the following areas: recreation, creative arts therapy, therapeutic recreation, art, art education, psychology, sociology or occupational therapy. The experience requirements were one year of experience in an institutional, public school, or community recreation program. A total of seven employees applied for the subject examination which resulted in a list of two eligibles with an expiration date of July 25, 2021. Certification PS180933 was issued containing the names of the two eligibles and its disposition is due October 27, 2018.

On her application, the appellant indicated that she possessed a Bachelor's degree in psychology. Additionally, she indicated that she was provisionally serving in the subject title from November 2017 to the December 21, 2017 closing date, a Social Worker 2 from June 2005 to April 2017, a MICA Specialist/Counselor for Project for Independent Living from June 2004 to May 2005 and a Senior Habilitation Counselor for the University of Medicine and Dentistry of New Jersey (UMDNJ) from November 1997 to June 2004. Agency Services credited the

appellant for having met the education requirement and for having two months of experience based on her provisional service in the subject title, but determined that she lacked 10 months of the required experience.

On appeal, the appellant explains how she is performing the required duties while provisionally serving in the subject title. Additionally, she presents that while working for UMDNJ, she was the liaison between UMDNJ and the appointing authority where she developed treatment plans and collaborated with the appointing authority to provide a continuum of care for patients who were leaving the appointing authority and entering UMDNJ's facility. The appellant indicates that as part of this work for UMDNJ, she coordinated funding, approved all recreational activities and events for residents and supervised and developed schedules, protocols and delegated duties to mental health specialists.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In this matter, Agency Services correctly determined that the appellant did not meet the required experience as of the closing date because the appellant's provisional experience in the subject title is the only position that she held where the primary focus of that position was working in a recreational program. However, the appellant has gained an additional 10 months of applicable experience after the closing date while serving provisionally in the subject title. Additionally, the list is incomplete as there are two names on the list. Accordingly, good cause exists to accept the appellant's experience after the closing date, for eligibility purposes only, and to admit her to the examination.

ORDER

Therefore, it is ordered that the appeal be granted, and Angelina Ibacache's application be processed for prospective employment opportunities only.

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 3rd DAY OF OCTOBER, 2018

Deirdré L. Webster Cobb

Chairperson

Civil Service Commission

Inquiries and

Correspondence

Christopher S. Myers

Director

Division of Appeals and Regulatory Affairs Civil Service Commission Written Record Appeals Unit

P.O. Box 312

Trenton, New Jersey 08625-0312

c: Angelina Ibacache Alfred Filippini Kelly Glenn Records Center