

STATE OF NEW JERSEY

In the Matter of Robert Jack, Rehabilitation Counselor, Mental Health (PS3727H), Department of Health

CSC Docket No. 2018-3070

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED: JUNE 22, 2018 (JET)

Robert Jack appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Rehabilitation Counselor, Mental Health (PS3727H), Department of Health.

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The subject examination was announced with a closing date of December 21, 2017. The requirements were graduation from an accredited college or university with a Bachelor's degree supplemented by 24 semester hour credits in a combination of any of the following areas: Vocational Counseling, Rehabilitation Counseling, Psychology, Sociology, Social Work, Vocational Guidance, Special Education or related areas, and one year of experience in vocational/rehabilitational guidance or counseling, other related guidance and counseling, or social or medical casework in a rehabilitation agency, facility or other social program designed to increase the employability or social productivity of clients. It was noted that applicants who did not possess a Bachelor's degree but possessed the 24 college credits in the specialized fields as noted above could have substituted additional experience for the remaining education on a year-for-year basis, with one year of experience being equal to 30 semester hour credits. A total of five employees applied for the subject examination which resulted in a list of two eligibles with an expiration date of April 18, 2021. One certification was issued and no appointments have been made.

A review of the appellant's application reveals that he possessed 105 college credits supplemented with the 24 semester hour credits in the specialized fields as

noted above. Agency Services credited the appellant with three years and six months of applicable experience for his education. Additionally, the appellant listed that he served provisionally in the subject title from February 2017 to the December 21, 2017 closing date of the examination, and as an Occupational Therapy Assistant from July 2005 to February 2017. Agency Services did not credit the appellant with any applicable experience. Accordingly, Agency Services determined that the appellant was ineligible for the subject examination.

On appeal, the appellant provides clarifying information and argues that he possesses sufficient experience to qualify for the examination. In support, the appellant provides a letter from Alex Schantz, a Personnel Aide 1, who confirms that the appellant is serving provisionally in the subject title.

It is noted that the appellant continues to serve as a provisional Rehabilitation Counselor, Mental Health.

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) provides that a rule may be relaxed for good cause in a particular situation. Initially, it is noted that Agency Services correctly credited the appellant with three years and six months of applicable experience based on his education. However, a review of the record indicates that the appellant continues to serve provisionally in the subject title. Moreover, the appellant has sufficiently clarified his previous provisional experience which, when combined with his provisional experience gained after the closing date, provides enough applicable experience for eligibility. Additionally, the situation is not competitive as there are only two eligible candidates on the list. Under these circumstances, good cause exists to relax the provisions of N.J.A.C. 4A:4-2.6(a) and accept the appellant's experience gained after the closing date, for eligibility purposes only, and to admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant'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 20th DAY OF JUNE, 2018

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Chairperson

Civil Service Commission

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