

STATE OF NEW JERSEY

In the Matter of Alisa Rosa, Habilitation Plan Coordinator (PS3759K), Department of Human Services

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2018-2923

Examination Appeal

ISSUED: JUNE 22, 2018 (JET)

Alisa Rosa appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirement for the promotional examination for Habilitation Plan Coordinator (PS3759K), Department of Human Services.

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The subject examination was announced with a closing date of October 23, 2017 and was open to employees who met the requirements for Developmental Disability Professionals and Providers as outlined in the "Rules and Regulations" section of the Federal Register, Volume 53, No. 107 (June 1988): 20497-8, which sets the standards for developmental disability facilities and staff, namely the following: graduation from an accredited college or university with a Bachelor's degree in a human services field, including but no limited to the following: human behavior, (e.g., psychology, sociology, speech communication, gerontology), social work, criminal justice (with a social work/psychology focus) human skill development (e.g., special education, education, counseling, human development, recreation, or a specialty area such as art, dance, music or physical education), humans and their cultural behavior (e.g., anthropology), or any other study of services related to basic human care needs (e.g., human services, nursing, rehabilitation counseling, art therapy, recreational therapy, occupational therapy, physical therapy, dietetics, speech language pathology or audiology), or the human condition (e.g., literature, the arts), who possessed one year of experience in the care, treatment, and rehabilitation of individuals with developmental disabilities in residential community settings or in case management, analysis, development and

implementation of programs for clients with developmental disabilities. A total of four employees applied for the subject examination which resulted in a list of one eligible with an expiration date of March 21, 2021. One certification was issued and no appointments have been made.

A review of the appellant's application reveals that she possessed a Bachelor's degree in one of the specified areas listed in the announcement. Agency Services credited the appellant for her education. The appellant also listed that she served as a Senior Community Program Specialist from July 2017 to the October 2017 closing date, as a part-time Respite worker from January 2017 to September 2017, as a Dental Assistant 1 from April 2001 to July 2017, as a Cottage Training Technician from December 2000 to April 2001, and as a Human Services Assistant from October 1993 to December 2000. Agency Services credited the appellant with four months of applicable experience for her service as a Senior Community Program Specialist and two months of pro-rated experience for her work as a Respite worker. However, it did not credit her with any other applicable Accordingly, Agency Services determined that the appellant was experience. ineligible for the subject examination as she lacked six months of applicable experience.

On appeal, the appellant provides clarifying information and argues that she possesses over 24 years of applicable experience.

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 six months of applicable experience based on her service as a Senior Community Program Specialist and as a part-time Respite worker. However, a review of the record indicates that the appellant continues to serve as a Senior Community Program Specialist. The appellant now has enough applicable experience based on this service. Additionally, the situation is not competitive as there was only one eligible candidate for the examination. 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 after the closing date, for eligibility purposes only, and to admit her 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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