

subject title, but determined that he was not eligible for the subject examination as he lacked four years and four months of applicable experience.

On appeal, the appellant explains, among other things, that he performed the required duties for the developmentally disabled while serving in his various positions.

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.

The Civil Service Commission (Commission) finds that the appellant meets the requirements for the subject examination. Initially, it is noted that the subject examination announcement indicates that experience can be substituted for the requirement that candidates needed to possess a Bachelor's degree. In this case, the title under test has a class code of 22 and the appellant's permanent title of Cottage Training Supervisor has a class code of 14. A class code is defined as a designation assigned to a job title with ranking based on job content. Thus, Agency Services determined that experience gained in titles at levels such as Cottage Training Supervisor could not be substituted for professional experience.

However, the announcement does not have any qualifiers that define the level and scope of applicable experience. Therefore, the Commission finds that candidates for the subject examination did not necessarily need to have performed the required duties while serving in professional titles, *i.e.* titles that require a Bachelor's degree, to have applicable experience. Thus, in this situation, as there are only seven eligibles and nine provisional employees in the subject title, to not accept this lower level, but clearly related experience would mean that the substitution clause would be meaningless as those who did not have a Bachelor's degree could presumably never have applicable experience since they would never be eligible to serve in professional titles.

Additionally, under *N.J.A.C.* 4A:4-2.1(g), the Commission can accept clarifying information in eligibility appeals. However, *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004). In this matter, the Commission finds that the appellant has clarified how, in addition to his provisional

service in the subject title, he delivered habilitative services in programs for the developmentally disabled for more than the required number of years as either a Human Services Assistant or in various Cottage Training titles. Therefore, the facts of this situation warrant acceptance of the experience in the lower level Cottage Training Supervisor title.

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 6th DAY OF JUNE, 2018



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