



STATE OF NEW JERSEY

In the Matter of Amit Shah,
Supervising Community Program
Specialist (PS3797K), Department
of Human Services

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2018-3169

Examination Appeal

ISSUED: FEBRUARY 8, 2019 (JET)

Amit Shah appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Supervising Community Program Specialist (PS3797K), Department of Human Services.

The subject examination was announced with specific requirements that had to be met as of the October 23, 2017 closing date. The pertinent requirements were graduation from an accredited college or university with a Bachelor’s degree, and four years of program delivery experience providing education, habilitative, or social services in programs for the developmentally disabled, one year of which shall have been in a supervisory capacity. A total of 17 employees applied for the subject examination which resulted in a list of nine eligibles with an expiration date of August 22, 2021. One certification was issued with a disposition due date of November 29, 2018 and has not yet been disposed.

A review of the appellant’s application and resume reveals that he possesses a Bachelor’s degree and served as a provisional Supervising Community Program Specialist from May 2017 to the October 23, 2017 closing date, as an Administrative Analyst 3 from March 2017 to May 2017, as an Administrative Analyst 3, Fiscal Management from March 2009 to June 2011, and as an Administrative Analyst 4 from December 2006 to March 2009. Official records indicate that the appellant served as an Administrative Analyst 3 from November 2015 to May 2017, as an Administrative Analyst 2 from June 2011 to November 2015, as an Administrative

Analyst 3 from March 2009 to June 2011, and as an Administrative Analyst 4 from December 2006 to March 2009.

Upon review, Agency Services credited the appellant with six months of applicable experience for his work as a provisional Supervising Community Program Specialist. However, it did not credit him with any other applicable experience. Accordingly, Agency Services determined that he lacked three years and six months of applicable general experience including six months of supervisory experience.

On appeal, the appellant argues, among other things, that his experience as an Administrative Analyst 3 should have been considered by Agency Services. He states that such experience enabled him to be provisionally appointed to the subject title. Further, the appellant questions why he was found eligible for a Quality Assurance Coordinator examination but was found ineligible for the subject examination, especially when the examples of work in the job specifications for those titles indicate that they are listed only for illustrative purposes.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the announcement by the closing date.

Agency Services correctly determined that the appellant was ineligible for the subject examination. In this regard, Agency Services correctly found that, other than his experience as a provisional Supervising Community Program Specialist, none of his other experience was applicable. The *primary focus* of the appellant's duties as an Administrative Analyst 2, Administrative Analyst 3 and an Administrative Analyst 4 did not include experience in *program delivery* providing education, habilitative, or social services in programs for the developmentally disabled. In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). As such, the appellant's experience is not applicable to satisfy the duties required to establish eligibility for the title under test. Moreover, the appellant did not indicate on his application that he completed employee evaluations for employees while serving in the Administrative Analyst titles. Supervisory experience is defined in the appropriate job specifications for supervisory titles as supervising work operations and/or functional programs and having responsibility for employee evaluation and for effectively recommending the hiring, firing, promoting, demoting, and/or disciplining of employees. *See In the Matter of Sadie Hamer, et al.* (MSB, decided February 22, 2006). With respect to the appellant's argument that he was found eligible for a separate examination, that argument does not establish his contentions, as eligibility for a prior examination does not establish eligibility for

any future examinations. Although the appellant states that the job specifications list that the examples of work are listed for illustrative purposes only, the examples of work section does not determine eligibility for the examinations.

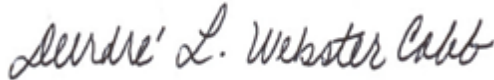
A thorough review of all material presented indicates that Agency Services' determination that the appellant did not meet the eligibility requirements by the closing date is amply supported by the record. Thus, the appellant has failed to support his burden of proof in this matter.

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 6th DAY OF FEBRUARY, 2019



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher Myers
Director
Division of Appeals
& Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Amit Shah
Tahishia McKeithen
Kelly Glenn