



**STATE OF NEW JERSEY**

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

Examination Appeals

In the Matter of Patricia Fricke  
and Nieisha Law, Supervisor  
Housing Assistance Program  
(PS6974DN), Department of  
Community Affairs

CSC Docket Nos. 2019-1605  
2019-1743

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**ISSUED:** February 11, 2019 (RE)

Patricia Fricke and Nieisha Law appeal the decisions of the Division of Agency Services (Agency Services) that they did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Supervisor Housing Assistance Program (PS6974DN), Department of Community Affairs. These appeals have been consolidated due to common issues presented by the appellants.

The subject promotional examination announcement was issued with a closing date of March 22, 2018 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title, and who met the announced requirements. These requirements were graduation from an accredited college or university with a Bachelor’s degree, and four years of experience in program development and/or management of a federal or State sponsored housing subsidy or community service program for low and moderate income individuals/families in a public or private agency, one (1) year of which shall have been in a supervisory capacity. Applicants who did not possess the required education could substitute, in addition to the required experience indicated, applicable experience on a year for year basis, with thirty (30) semester hour credits being equal to one year of experience. Also, a Master’s degree in Business or Public Administration, Urban and Community Development, or related field from an accredited college or university could be substituted for one year of indicated non-supervisory experience. The appellants were found to be ineligible based on a lack of experience per the substitution clause

for education. One candidate appears on the eligible list, which was certified once, and no appointments have yet been made.

Fricke does not possess a Bachelor's degree, and therefore needed to possess eight years of applicable experience. She indicated seven positions on her application: Principal Field Representative Housing, (Housing Assistance Program); two positions as Senior Field Representative Housing, (Housing Assistance Program); Field Representative Housing, (Housing Assistance Program); Property Manager with Red Top Property Management; Administrative Assistant with The Van Dyk Group; and Health Spa Manager with Living Well Lady Fitness Center. She was credited with eight months of experience in the first position, and was found to be lacking seven years, four month of experience.

On appeal, Fricke argues that she should be eligible as she has been a Field Representative for twelve years, and her duties included client intake review requiring participant eligibility determinations and field duties requiring facility eligibility determinations. She states that as a Senior Field Representative she was acting supervisor on a regular basis in the absence of the supervisor, and has been supervising in the Principal Field Representative title since August 2017. She submits a copy of her resume. She also submits a copy of a job specification for a different title, Supervising Field Representative Housing, and refers to the experience requirements of that title rather than the title under test.

Law indicates that she possesses 120 college credits, but did not complete her Bachelor's degree. An incomplete Bachelor's degree can only be substituted for three years, six months of experience. Therefore, Law was required to possess an additional six months of applicable experience. The appellant listed five positions on her application: provisional Supervisor (Housing Assistance Program); Principal Field Representative Housing, (Housing Assistance Program); Senior Field Representative Housing, (Housing Assistance Program); Field Representative Housing, (Housing Assistance Program); and Housing Specialist. She was credited with two years, six months of applicable experience in her second position, which included one year of supervisory experience. As such, she was found to be lacking two years of general experience.

On appeal, Law states that she should be eligible, and she submits a copy of her resume. She states that she should be eligible, and her not submitting a resume with her application was a minor error and should not disqualify her.

## CONCLUSION

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

For experience to be acceptable, it must mirror the experience required in the examination announcement. In addition, 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). Experience as a Principal Field Representative Housing, (Housing Assistance Program) was acceptable as the duties are at the level of management of a State sponsored housing subsidy or community service program for low and moderate income individuals/families. Experience gained in the titles Senior Field Representative Housing, (Housing Assistance Program) and Field Representative Housing, (Housing Assistance Program) is inapplicable, as the duties of these titles, such reviewing participant or facility eligibility, carry out the function of the program, and are not management of a program. Fricke was credited with eight months of experience as a Principal Field Representative Housing, (Housing Assistance Program), and her remaining positions are inapplicable. She lacks seven years, four months of experience per the substitution clause for education.

Law was not credited for her three months of experience in her provisional position as, rather than listing her duties in her own words, she copied the examples of work from the job specification for Supervisor Housing Assistance Program. In the absence of any corroborating information, such as a performance evaluation, duties copied directly from a job specification are not acceptable. The appellant was not contacted by Agency Services as the appellant was in this title only three months and further explanation would not result in eligibility. Law is cautioned to complete any future applications using her own words.

Law was credited with two years, six months of applicable general experience, and with one year of supervisory experience, as a Principal Field Representative Housing, (Housing Assistance Program), and her remaining positions are inapplicable. Thus, she was appropriately found to be lacking two years of general experience per the substitution clause for education.

An independent review of all material presented indicates that the decisions of Agency Services that the appellants did not meet the announced requirements for eligibility by the closing date are amply supported by the record. The appellants provide no basis to disturb these decisions. Thus, the appellants have failed to support their burden of proof in these matters.

### **ORDER**

Therefore, it is ordered that these appeals 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 6<sup>th</sup> DAY OF FEBRUARY, 2019



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: Patricia Fricke  
Nieisha Law  
Jodi Evangelista  
Kelly Glenn  
Records Center