



**STATE OF NEW JERSEY**

In the Matter of Michael Dunlop,  
Counselor, Penal Institution  
(C0434C), Morris County

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

CSC Docket No. 2022-1109

Examination Appeal

**ISSUED: FEBRUARY 18, 2022 (JET)**

Michael Dunlop appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the open competitive examination for Counselor, Penal Institution (C0434C), Morris County.

The examination at issue was announced with specific requirements which had to be met as of the September 21, 2021 closing date. The requirements were graduation from an accredited college or university with a Bachelor’s degree, and one year of experience in counseling and guidance in the fields of education, social welfare, job placement, crisis intervention, or substance abuse. It was noted that applicants who did not meet the educational requirement could have substituted additional work experience as described on a year-for-year basis, with 30 semester hour credits being equal to one year of experience. It was also noted that possession of a Master’s Degree in Vocational Guidance and Counseling and/or Vocational Rehabilitation from an accredited college or university could have been substituted for the required experience. A total of 13 applicants applied for the subject examination which resulted in a list of eight eligible with an expiration date of November 3, 2024. One certification was issued, and no appointments have been made.

A review of the appellant’s application reveals that he possessed a Bachelor’s degree in Psychology and a Master’s Degree in Psychological Services. Agency Services credited the appellant for his Bachelor’s degree, but it did not credit him with any experience for his Master’s degree, as it was not in the fields of Vocational Guidance and Counseling and/or Vocational Rehabilitation pursuant to the

substitution clause listed above. Additionally, the appellant listed that he served as a Behavior Support Technician from January 2016 to September 2021, and he described his duties as establishing behavior support programs, providing leadership to Therapy Program Assistants, Technicians, and other paraprofessional employees; instructing employees pertaining to behavioral support programs; training employees with respect to behavioral support techniques; providing assistance to staff; ensuring effectiveness of therapeutic procedures; and instructing staff in the application of crisis intervention techniques and client treatment. The appellant listed on his resume that he served as a Human Services Assistant from January 2016 to January 2017, June 2014 to January 2015, and from September 2012 to June 2014. He described his duties as functioning as caretaker for special needs adults requiring care in a hospital environment; assisting with behavioral redirection, crisis intervention, and ADL's in an adult inpatient psychiatric unit; and providing direct care and socialization skills to developmentally disabled and mentally ill adults. The appellant also listed that he served as a paraprofessional from July 2015 to February 2016, and he described his duties as serving as a Teacher's Aide and facilitating exercises in a special education institution. Agency Services did not credit the appellant for any of that experience. Accordingly, Agency Services determined that the appellant was not eligible as he lacked one year of experience.

On appeal, the appellant argues that he is eligible for the examination and should be admitted based on his education and experience.

## 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. Initially, the appellant's Master's Degree in Psychological Services is not applicable and cannot be accepted pursuant to the substitution clause, as it is not in the fields of Vocational Guidance and Counseling and/or Vocational Rehabilitation. Further, Agency Services correctly found that none of the appellant's experience was applicable. The *primary focus* of the appellant's duties as a Behavioral Support Technician, Human Services Assistant, and paraprofessional did not include full-time duties in *counseling and guidance* in the fields of education, social welfare, job placement, crisis intervention, or substance abuse. 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). Rather, the primary duties performed by the appellant, as indicated on his application, resume and on appeal, included among other things, establishing behavior support programs, providing leadership to employees, instructing employees with respect to

behavior support techniques; serving as a Teacher's Aide; assisting with behavioral redirection; and providing socialization skills to developmentally disabled adults. As such, the appellant's experience is not applicable to satisfy the duties required to establish eligibility for the title under test.

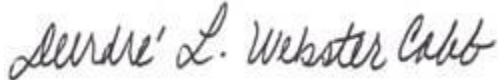
A thorough review of all material presented indicates that Agency Services' determination that the appellant did not meet the eligibility requirements by the closing date is amply supported by the record. Thus, the appellant has failed to support his burden of proof in this matter.

**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 16<sup>TH</sup> DAY OF FEBRUARY, 2022



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