



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Lynette Montgomery
and Ebony Williams,
Social Work Supervisor (PC4939C),
Union County

Examination Appeal

CSC Docket Nos. 2022-1926
2022-1927

ISSUED: May 2, 2022 (RE)

Lynette Montgomery and Ebony Williams appeal the determinations of the Division of Agency Services which found that they did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Social Work Supervisor (PC4939C), Union County.

The subject examination announcement was issued with a closing date of November 22, 2021. The examination 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 the title Social Work Specialist or Social Work Specialist Bilingual in Spanish and English **OR** to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Social Worker or Social Worker Bilingual in Spanish and English and who met the open competitive requirements. These requirements included graduation from an accredited college or university with a Bachelor’s degree supplemented by a Master’s degree in Social Work, Psychology, Sociology, Guidance and Counseling or other field related to social work or social services, and two years of social work experience involving gathering social information from clients, determining their needs, and planning and carrying out treatment plans and/or service plans geared to individual client needs. Applicants who did not possess the Bachelor’s degree could substitute additional experience as indicated below on a year-for-year basis with thirty semester hour credits being equal to one year of experience. Applicants who did not possess the required Master’s degree could substitute one additional year of experience. The appellants were found to be below the minimum experience

requirements per the substitution clause for education. Fourteen candidates were admitted to the examination which has not yet been held.

Montgomery indicated that she possessed a Bachelors' degree, but not a Master's degree. Thus, per the substitution clause for education, she needed to possess three years of qualifying experience. She listed three positions on her application; Social Worker from July 2013 to November 2021, Domestic Violence Advocate (part-time 20 hours per week) from April 2018 to August 2018, and Teaching Assistant/Substitute Teacher (part-time 30 hours per week) from February 2008 to July 2013. Official records indicate that Montgomery was a Social Worker from April 2019 to November 2021, an Employment Specialist from January 2018 to April 2019, a Human Services Specialist 2 from July 2015 to January 2018, and a Human Services Specialist 1 from July 2013 to July 2015. She was credited with two years, eight months of experience as a Social Worker, and with three months of prorated full-time experience as a Domestic Violence Advocate. As no other experience was qualifying, the appellant was found to be lacking one month of qualifying experience by the November 2021 closing date.

On appeal, Montgomery states that she has been working as a Social Worker for Union County Division of Social Services in the General Assistance Services Department since April 8, 2019, gathering information from clients to determine, plan, and carry out their service/treatment plans. These plans assisted meeting the individual needs of the clients. She states that she has also worked at Briarcliffe College and The Chubb Institute as a Career Counselor for future graduates and alumni. She states that she has worked as a Teaching Assistant providing assistance with daily classroom activities for at risk students with behavioral issues in grades 4 through 9, working as tutor providing one-to-one services for students struggling in reading and mathematics, and assisting the Dean of Student Life with maintaining the Before Care/Aftercare Program for many students who were considered at risk. She conducted one of the Arts and Crafts classes for the Gifted and Talented Program after school. She provides a resume with many additional positions, although she did not list duties for any of them.

Williams indicated that she possessed a Bachelor's degree, and a Master's degree in Public Administration. As this was not a specified or related degree, Williams needed to possess three years of qualifying experience per the substitution clause for education. She listed one position on her application. Although it was untitled, she listed Union County as her employer from July 2013 to November 2021. Official records indicate that Williams was a Social Worker from April 2019 to November 2021, a Human Services Specialist 2 from July 2015 to April 2019, and a Human Services Specialist 1 from July 2013 to July 2015. She was credited with two years, eight months of experience as a Social Worker. As no other experience was qualifying, the appellant was found to be lacking four months of qualifying experience by the November 2021 closing date.

On appeal, Williams states that she is eligible as she has been a Social Worker since April 2019, over two years, has a Bachelor's degree as well as a Master's degree in a field related to social services, and has previous related experience. She provides a copy of her resume with additional positions.

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. N.J.A.C. 4A:4-2.6(c) provides in pertinent part that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception.

Montgomery did not possess a Master's degree, and an incomplete Master's degree is not acceptable. Williams did not possess a Master's degree in Social Work, Psychology, Sociology, Guidance and Counseling or other field related to social work or social services. A Master's degree in Public Administration is not a field related to social work or social services. Public Administration is in the field of public service and involves the implementation of government policy in the lives of individuals, such as planning, implementing or analyzing the effects of public policy. As such, per the substitution clause for education, the appellants were required to possess three years of applicable experience.

Each appellant was credited with applicable experience based on her position of Social Worker. 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). Montgomery was also credited with three months of full-time experience for her position as Domestic Violence Advocate. The remaining experience of both appellants is inapplicable.

When an applicant indicates extensive experience in titles established under the State Classification Plan, it is appropriate to utilize the job specifications to determine the primary focus of the duties of incumbents serving in career service titles. In the eligibility screening process for open competitive examinations, reliance on the job specifications to determine the primary focus of duties for incumbents of a particular title or title series provides a standardized basis on which Agency Services can evaluate what an applicant indicates on his or her application to what incumbents in a particular title series generally perform. *See In the Matter of William Moore* (MSB, decided May 10, 2006). According to the job specification, incumbents in the Human Services Specialist title series, primarily

perform work involved in the field and office work involved in the collection, recording and evaluation of data, to include the employability, the medical status and the physical or mental health of applicants/clients, for the purpose of determining applicants'/clients' eligibility for program service, and provide information to families and individuals to achieve self-sufficiency through employment opportunities and/or child support services. Incumbents in the Human Services Specialist 2 title may involve more discretion and independent judgment, as well as more analyzation of information, and negotiation with absent parents. Thus, any social work performed while in this title series is out of title work. Also, an Employment Specialist assesses the education and training needs of participants and assists in their motivation, and provides and makes referrals to appropriate work experience and training services as a means of improving the employability of participants assigned to work experience and training projects. Again, the announced experience would be out-of-title work for this position, a basis for accepting out-of-title experience from either appellant has not been presented. Montgomery's description of duties for her position as a Teaching Assistant/Substitute Teacher does not establish that the primary focus of the position was performing social work.

The appellants submitted additional positions on appeal. In that regard, *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 title 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. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004). *In In the Matter of Subhash C. Kapoor* (CSC, decided April 17, 1984), the appellant did not indicate dates of employment for two particular positions in two lower level appeals and ultimately provided this information in an appeal to the Commission. In denying the appeal, the Commission explained that it was essential to prohibit the amendment or supplementation of applications after its closing date because the agency receives hundreds of thousands of applications a year and test eligibility must be determined from the application in order to meet administrative responsibilities and to establish uniform and fair requirements for all candidates. *See also, In the Matter of Pamela B. Ward* (CSC, decided June 7, 1984). This supplemental information was received after the closing date and cannot be accepted. The examination is competitive with fourteen candidates on the eligible list, so there would be no basis to relax this requirement in the instant matter. Montgomery lacks one month of qualifying experience, and Williams lacks four months of qualifying experience, as of the November 2021 closing date.

An independent review of all material presented indicates that the decision of Agency Services that the appellants did not meet the announced requirements for

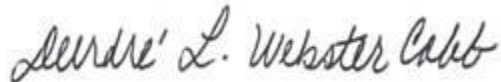
eligibility by the closing date is amply supported by the record. The appellants provide no basis to disturb this decision. Thus, the appellants have failed to support their burden of proof in these matters.

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 27TH DAY OF APRIL 2022



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