



STATE OF NEW JERSEY

In the Matter of Christopher Danas,
et al., Program Specialist 2,
 Social/Human Services (PS6261K),
 New Lisbon Developmental Center

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

CSC Docket Nos. 2022-1963, *et al.*

Examination Appeals

ISSUED: MAY 23, 2022 (SLK)

Christopher Danas, Anthony Lawrence, Charlika Little, and Joseph Mackintosh appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Program Specialist 2, Social/Human Services (PS6261K), New Lisbon Developmental Center. These appeals have been consolidated due to common issues presented.

The subject examination's closing date was September 21, 2021. The education requirement was a Bachelor's degree. The experience requirements were two years of experience in planning, monitoring, coordinating, implementing, modifying and/or evaluating a social or human services program. Applicants who did not possess a Bachelor's degree could have substituted additional experience as indicated on a year-for-year basis with 30 semester credits being equal to one year of experience. A Master's degree in a Social/Human services specialist area, Public or Business Administration, Child Advocacy and Policy, or Child Advocacy and Policy with a concentration in Public Child Welfare could have been substituted for one year of experience. A total of 15 employees applied and one was deemed ineligible. No certifications have been issued. The list expires on February 16, 2025.

On Danas' application, he indicated that he possessed a high school diploma. He also indicated that he was provisionally serving in the subject title from February 2020 to the September 21, 2021, closing date, a Head Cottage Training Supervisor from July 2018 to February 2020, a Cottage Training Supervisor from August 2015 to July 2018, a Cottage Training Technician from July 2011 to August 2015, and a

Human Services Assistant from July 2007 to July 2011. Personnel records indicate that he was provisionally serving in the subject title from February 2020 to the closing date, a Head Cottage Training Supervisor from August 2018 to February 2020, a Cottage Training Supervisor from November 2015 to August 2018, a Cottage Training Technician from January 2015 to November 2015, a Human Services Assistant from November 2007 to January 2015, and a Direct Care AFSCME from July 2007 to November 2007. Per the substitution clause for education, Agency Services credited Danas with one year and eight months of experience based on his provisional service in the subject title, but determined that he lacked four years and four months of experience.

On Lawrence's application, he indicated that he possessed a high school diploma. He also indicated that he was a Program Specialist 1, Social/Human Services from July 2021 to the September 21, 2021, closing date¹, a Senior Therapy Program Assistant from September 2007 to July 2021, a Cottage Training Technician from July 1997 to September 2007, and a Human Services Assistant from October 1995 to July 1997. Personnel records indicate that he was a Senior Therapy Program Assistant from September 2005 to the closing date, a Cottage Training Technician from January 2000 to September 2005, a Human Services Assistant from March 1996 to January 2000, a Senior Food Service Handler from April 1993 to March 1996, and a Senior Food Service Worker-12 months from April 1992 to April 1993. Per the substitution clause for education, Agency Services determined that he lacked six years of experience.

On Little's application, she indicated that she possessed a high school diploma. She also indicated that she was a Senior Therapy Program Assistant from March 2007 to the September 21, 2021, closing date, a Cottage Training Technician May 2003 to March 2007, a Human Services Assistant from October 2001 to May 2003, a Senior Food Service Handler June 2001 to October 2001, and a Food Service Worker from March 2000 to June 2001. Personnel records indicate that she was a Senior Therapy Program Assistant from March 2007 to September 2021, a Cottage Training Technician May 2003 to March 2007, a Human Services Assistant from October 2001 to May 2003, a Senior Food Service Handler from March 2001 to October 2001, and a Senior Food Service Worker-12 months from March 2000 to March 2001. Per the substitution clause for education, Agency Services determined that She lacked six years of experience.

On Mackintosh's application, he indicated that he possessed a high school diploma. He also indicated that he was provisionally serving in the subject title from February 2020 to the September 21, 2021, closing date, a Cottage Training Supervisor from March 2019 to February 2020, a Senior Therapy Program Assistant from December 2007 to March 2019, a Cottage Training Supervisor from December

¹ Personnel records indicate that Lawrence was provisionally appointed as a Program Specialist 1, Social/Human Services effective October 2021, which was after the September 21, 2021 closing date.

2006 to December 2007, a Human Services Assistant and a Cottage Training Technician from April 2002 to December 2006. Per the substitution clause for education, Agency Services determined that he lacked six years of experience.

On appeal, Danas states that throughout his State service, he has performed the required duties. Specifically, he indicates that he created and monitored recreational, work-related or self-help programs as a Cottage Training Supervisor, and he led and implemented programs as a Head Cottage Training Supervisor. Danas presents this experience included staffing and budgeting for programs.

Lawrence presents that he has over 29 years of direct resident program experience. Specifically, he explains that as a Food Service Worker, Human Services Assistant, and Cottage Training Technician he implemented programs to train residents on work skills in the food services and housekeeping areas. Further, as a Senior Therapy Program Assistant, he developed, implemented, documented, evaluated and revised employment and recreation programs for residents.

Little indicates that she has over 16 years of services as a Senior Therapy Program Assistant where she coordinated special events, implemented social and vocational programs, and evaluated and modified programs based on an individual's specific needs and function level.

Mackintosh asserts that he has performed the required duties for over 20 years. He states that as a Human Services Assistant, he monitored programs for the residents so that they can learn self-help skills, sensory simulation for the disabled, work-related skills, and be involved in the community. As a Cottage Training Technician, Mackintosh coordinated and implemented programs for residents to prepare them to be placed in the community. He indicates that as a Cottage Training Supervisor, he monitored the accuracy and the implementation of programs. Additionally, as a Senior Program Therapy Assistant, he states that he led Cottage Training Technicians and Human Services Assistant so that they could provide programming activities and therapies to residents. Subsequently, as a Cottage Training Supervisor, he presents that he supervised Senior Therapy Program Assistants in the planning, implementing, monitoring, coordinating, and evaluating of programs. Finally, he indicates that while serving provisionally in the subject title, he ensures staffing and budgeting for programs throughout the facility.

CONCLUSION

N.J.A.C. 4A:4-2.5(a) provides that a professional title requires a Bachelor's or higher level degree, with or without a clause to substitute experience for education.

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.

N.J.A.C. 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

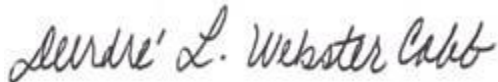
In this matter, a review of the appellants' applications and appeals indicates that Agency Services correctly determined that they were not eligible for the subject examination. Specifically, other than Danas' and Mackintosh's² provisional service in the subject, which was significantly less than the required time per the substitution clause, the appellants' service was in non-professional level titles. Further, in these non-professional titles, while they may have had some involvement in planning and implementing programs, this experience was not at the level and scope record for the subject examination. Instead, they primarily were involved in the direct care of residents and/or were supervisors of those involved in the direct care of residents and not performing professional level planning, administering, and analyzing of programs. 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).

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 18TH DAY OF MAY, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

² Agency Services did not credit Mackintosh for his provisional service in the subject title. On appeal, Mackintosh describes his duties in this title in more detail. However, the Civil Service Commission need not decide if he sufficiently clarified his experience because, even if he were to receive credit for his provisional service in the subject title, he would still lack four years and four months of experience.

Inquiries
and
Correspondence

Allison Chris 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: Christopher Danas (2022-1963)
Anthony Lawrence (2022-2554)
Charlika Little (2022-1857)
Joseph Mackintosh (2022-1962)
Division of Agency Services
Records Center