



STATE OF NEW JERSEY

In the Matter of Herbert Hamlin
Investigator, Secured Facilities
(PC4396C), Essex County

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

CSC Docket Nos. 2022-1435

Examination Appeals

ISSUED: MAY 23, 2022 (JET)

Herbert Hamlin appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Investigator, Secured Facilities (PC4396C), Essex County.

The promotional examination was announced with specific requirements which had to be satisfied by the August 23, 2021 closing date. Specifically, the announcement required candidates to possess a Bachelor's degree from an accredited college or university, and one year of experience in the custodial field which shall have included investigations of violations of rules, regulations, standards and laws by adult inmates, juveniles and/or employees working within a secured facility. It was noted that applicants who did not possess the required education could have substituted, in addition to the required experience as noted above, applicable experience on a year for year basis, with 30 semester hour credits being equal to one year of experience. As such, applicants who did not possess a Bachelor's degree required five years of applicable experience. Of the 35 who applied for the subject examination, eight were found eligible. The list has not yet promulgated.

On his application, the appellant indicated that he possessed 21 college credits. Agency Services credited him for his college credits. The appellant also indicated that he served as a provisional Investigator, Secured Facilities from January 2020 to the

August 2021 closing date, as a Training Officer-in-Charge from November 2014 to January 2020, as a County Correctional Police Officer from February 2012 to January 2020, and as a United States Army Combat Engineer from March 2007 to April 2017.¹ Agency Services credited him for his provisional service in the subject title. However, it did not find any of his other experience applicable. Accordingly, Agency Services determined that the appellant was ineligible for the examination, as he lacked one year and six months of applicable experience.

On appeal, the appellant maintains that he meets the experience requirement for the subject examination. The appellant states that he has been serving as a County Correctional Police Officer with the Essex County Department of Corrections since February 2012, and since January 2020, he has been assigned to the Internal Affairs Bureau. The appellant contends that his duties included investigating alleged criminal acts and administrative violations; investigating misconduct; preparing statements; coordinating with State, county and local law enforcement agencies; attending trainings; preparing reports; carrying firearms; maintaining equipment security; preemployment screenings, obtaining evidence; completing continuing education programs; and performing juvenile investigations. He also states that as a Training Officer-in-Charge he was primarily responsible for conducting background investigations on candidates.

Official personnel records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional announcement by the closing date.

Under *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. However, *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 position 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. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004).

¹ Official personnel records indicate that the appellant served as a County Correctional Police Officer from February 27, 2012 to January 10, 2020, and as a provisional Investigator, Secured Facilities from January 11, 2020 to the August 2021 closing date.

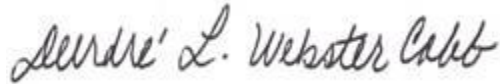
In the present matter, Agency Services properly credited the appellant with three years and six months of applicable experience pursuant to the substitution clause, since he does not possess a Bachelor's degree. It is noted that Agency Services could not credit the appellants with any additional applicable experience based on the incomplete information provided on his application. However, on appeal, the appellant clarifies that based on his primary duties in his provisional position and as a Training Officer-in-Charge, he possesses more than five years of applicable experience. Accordingly, the appellant's clarifying experience is accepted, for eligibility purposes only, and he should be admitted to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be processed for prospective employment opportunities only.

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



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries and Correspondence	Allision Chris Myers Director Division of Appeals & Regulatory Affairs Civil Service Commission Written Record Appeals Unit PO Box 312 Trenton, New Jersey 08625-0312
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c: Herbert Hamlin
Jacqueline Jones
Agency Services
Records Center