



STATE OF NEW JERSEY

In the Matter of Nancy Gravina, *et al.*, Human Services Specialist 4 (PC5164D), Hudson County

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

CSC Docket Nos. 2023-1690, *et al.*

Examination Appeals

ISSUED: May 3, 2023 (SLK)

Nancy Gravina, Debra Mallamace, Shaonil Nandi, and Michael Picariello appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Human Services Specialist 4 (PC5164D), Hudson County. These appeals have been consolidated due to common issues presented.

The subject examination’s closing date was September 21, 2022. The examination was open to employees in the competitive division who were serving as a Human Services Specialist 3 or Human Service Specialist 3, Bilingual in Spanish and English and who had one year of continuous permanent service in one of those titles by the examination closing date. In the alternative, the examination was open to employees in the competitive division who had one year of continuous permanent service in any competitive title as of the examination closing date and who met the examination requirements. The education requirement was 60 college credits and the experience requirement was three years of experience involving any combination of the following: securing/verifying information and making determinations or recommendations relating to eligibility or qualifications of applicants for loans, insurance, credit, employability, and/or job training services, or entitlement to cash awards, financial benefits, or adjustment and settlement of insurance claims; investigations which involve collection of facts and information by observing conditions, examining records, interviewing individuals, and preparing investigative reports of findings; or investigating, establishing, and/or enforcing support obligations in a welfare board or agency, court system, or related agency. One year

of this experience shall have been in a lead capacity. Further, a Bachelor's degree could have substituted for the education requirement and for two of the three years of required experience. However, there was no substitution of education for the remaining one year of experience. Additionally, applicants who did not possess the required education could have substituted experience as indicated on a year for year basis. A total of 108 employees applied, 64 were admitted to the test, and 35 were determined eligible. The subsequent eligible list expires on March 22, 2025.

On Gravina's application, she indicated that she possesses a Bachelor's degree. Additionally, she indicated that she was a Human Services Specialist 3 from May 2022 to the closing date and a Human Services Specialist 1 from April 2015 to May 2022. Gravina also indicated that she was a 30-hour per week Customer Service Manager for Pathmark from January 2003 to April 2015 and a 20-hour per week Community Referral Specialist Adolescent Group for Counsel of NJ LLC from October 2012 to February 2015. Agency Services credited Gravina with having met the education and general experience requirements and having five months of lead worker experience based on her Human Services Specialist 3 experience, but it determined that she lacked seven months of lead worker experience as of the examination closing date.

On Mallamace's application, she indicated that she possesses a Bachelor's degree. She also indicated that she was a Human Services Specialist 1 from 2016¹ to the closing date, a New Jersey Real Estate Sales Advisor for Engle & Volkers from 2014 to the closing date, a part-time Sales Associate for Neiman Marcus Last Call Studio from 2014 to 2016, a Campus Operating Officer for Berkeley College from 2008 to 2013, a Director, Adult Admissions for Berkeley College from 2003 to 2008, and a Director of Cooperating Advertising for Valley Media, Inc. from 1990 to 1999. Personnel records indicated that she was a Human Services Specialist 3 from September 2022 to the closing date and Human Services Specialist 1 from December 2016 to September 2022. Agency Services credited Mallamace with having met the education and general experience requirements and having one month of lead worker experience based on her Human Services Specialist 3 experience, but it determined that she lacked 11 months of lead worker experience as of the closing date.

On Nandi's application, she indicated that she possesses a Bachelor's degree. Additionally, she indicated that she was a Human Services Specialist 3 from September 2014 to the closing date. Personnel records indicate that she was a Human Services Specialist 3 from May 2022 to the closing date and a Human Services Specialist 1 from January 2014 to May 2022. Nandi also indicated that she was a Youth Political Staffer for former Councilwoman Nidia Lopez and Mayor Steve Fulop from May 2013 to November 2013, a Counselor for Project G.L.A.D. from May 2010

¹ Mallamace's application indicated that she was a Human Services Specialist 3 from December 2016 to December 2016. Her resume submitted with her application indicated that she was a Human Services Specialist 1 from 2016 to the examination closing date.

to August 2012, an Intern for Jersey City from May 2009 to August 2009, and an Intern for the Campaign for former Councilwoman Nidia Lopez and former Mayor Healy from May 2008 to August 2008. Agency Services credited Nandi with having met the education and general experience requirements and having five months of lead worker experience based on her Human Services Specialist 3 experience, but it determined that she lacked seven months of lead worker experience as of the closing date.

On Picariello's application, he indicated that he possesses a Bachelor's degree. Additionally, he indicated that he was a Human Services Specialist 1 from May 2015 to the closing date. Personnel records indicate that he was a Human Services Specialist 3 from May 2022 to the closing date and a Human Services Specialist 1 from April 2015 to May 2022. Agency Services credited Picariello with having met the education and general experience requirements, but it determined that he lacked one year of lead worker experience as of the closing date.

On appeal, Gravina presents that she has been a Human Services Specialist 3 since May 2022. Therefore, she notes that at the time she submitted her appeal, she was less than three months from having one year of continuous permanent service as a Human Services Specialist 3, and she believes that once she has one year of continuous permanent service as a Human Services Specialist 3, she should be eligible for the subject examination. Gravina highlights her Bachelor's degree and her seven years of service with Hudson County. Additionally, she attaches her resume which describes her experience in more detail. Further, she questions how certain named applicants can be eligible if she is not determined eligible.

Mallamace highlights her education and experience as indicated on her application. She states that she has years of managerial experience and notes that as programs are evolving, and many are retiring, Hudson County will need more qualified staff at the administrative level. Mallamace submits her resume which describes her experience in more detail.

Nandi presents that she served as a Human Services Specialist 1 for nine years and, at the time of her appeal, it had been almost 10 months since she was appointed as a Human Services Specialist 3 in May 2022. She highlights two named applicants who were also appointed as Human Services Specialist 3s on the same date that she was in May 2022, as well as Social Workers, who were admitted to the examination while she was not. Therefore, Nandi question why she was not determined eligible.

Picariello indicates that he has a Bachelor's degree and has been employed by Hudson County for over seven years performing the general requirements. Also, he presents that he provides new hires with on the job training and has developed Excel applications to determine eligibility for financial benefits or other programs. Picariello states that the subject examination announcement indicates that the

position is 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. He highlights that several co-workers were promoted to Human Services Specialist 3 on the same date that he was in May 2022, and who were hired after him, who were determined eligible for the subject examination.

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. *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, appeals and personnel records indicates that Agency Services correctly determined that they were not eligible for the subject examination. As none of the appellants had one year of continuous permanent services as either a Human Services Specialist 3 or Human Service Specialist 3, Bilingual in Spanish and English by the September 21, 2022 examination closing date, the specific titles to which the examination was open to be eligible, the appellants needed to meet the examination requirements, which included, in pertinent part, having one year of lead worker experience making eligibility determinations for financial benefits programs or other experience as indicated in the announcement by the closing date. The fact that some of the appellants may now have one year of lead worker experience is not relevant as this requirement needed to be met by the closing date.

Concerning the appellants' comments where they question how others who were appointed as Human Services Specialist 3s on the same date that they were in May 2022 and were determined eligible, these comments were referred to Agency Services for further review and revised eligibility determinations, if warranted. However, the appellants cannot be determined eligible if they did not meet the requirements as indicated in the announcement. Regarding Mallamace's statement that she has years of managerial experience, while she may have acted as a lead worker or supervisor outside of her Hudson County service, this is insufficient to meet the subject examination eligibility requirements as she needed to have one year of experience acting as a lead worker of staff who made eligibility determinations for financial benefits programs or other areas as indicated in the announcement. Further, the fact that Hudson County has a current or future need for administrative staff does signify that applicants do not need to meet the subject examination requirements. Also, it is noted that based on the number of eligibles, Hudson County has a complete list to appoint qualified candidates.

Referring to Picariello statement that he trains new hires, this duty alone is not sufficient to indicate that he was a lead worker as there is no indication that he trained, assigned, and reviewed the work of specific employees on a regular and

recurring basis. A leadership role refers to those persons whose titles are non-supervisory in nature, but are required to act as a leader of a group of employees in titles at the same or a lower level than themselves. Duties and responsibilities would include training, assigning and reviewing work of other employees on a regular and recurring basis, such that the lead worker has contact with other employees in an advisory position. However, such duties are considered non-supervisory since they do not include the responsibility for the preparation of performance evaluations. Being a lead worker does not mean that the work is performed by only one person, but involves mentoring others in work of the title series. *See In the Matter of Henry Li* (CSC, decided March 26, 2014). Further, while his development of Excel applications to determine eligibility for financial benefits or other programs is noteworthy, this experience cannot substitute for the required lead worker experience. Moreover, Picariello incorrectly argues that having one year of continuous permanent service in any competitive title was sufficient for eligibility. Instead, the examination announcement indicates for those applicants who did not have the required one year of continuous permanent service in one of the titles to which the examination was open, in addition to having one year of continuous permanent service in any competitive title, the applicants needed to meet the education and experience requirements as stated in the announcement. However, all the appellants lacked the one year of required lead worker experience by the closing date.

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 3RD DAY OF MAY, 2023



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