



STATE OF NEW JERSEY

In the Matter of Mahjabeen Shah,
Program Specialist 2, Social/Human
Services (PS3893H), Department of
Health

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

CSC Docket No. 2024-1930

Examination Appeal

ISSUED: August 14, 2024 (HS)

Mahjabeen Shah appeals the determination of the Division of Agency Services (Agency Services), which found that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Program Specialist 2, Social/Human Services (PS3893H), Department of Health.

The subject examination was announced with a closing date of November 21, 2023, and 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 any competitive title and possessed a Bachelor's degree and two years of experience in planning, monitoring, coordinating, implementing, modifying, and/or evaluating a social or human services program. Foreign degrees/transcripts had to be evaluated by a recognized evaluation service. Applicants who did not possess the required education could substitute additional experience on a year-for-year basis with 30 semester hour credits being equal to one year of experience. One applicant was admitted to the examination.

On her application, the appellant did not indicate possession of a Bachelor's degree. Therefore, pursuant to the substitution clause for education, the appellant needed six years of experience in total. The appellant indicated possession of 68 semester hour credits from DeVry University and an Associate's degree from the Board of Intermediate and Secondary Education, Lahore, Pakistan, evaluated as the equivalent of a high school diploma. She also listed her experience as Program Specialist 2, Social/Human Services with Trenton Psychiatric Hospital (TPH) from

February 2021 to November 2023;¹ Technical Assistant with TPH from August 2015 to January 2021; Program Manager with Health Port Technology from February 2013 to July 2015; and Health Information Technician with Hunterdon Developmental Center from June 2011 to June 2012. Agency Services credited the appellant's possession of 68 semester hour credits, which were equivalent to two years and three months of experience. None of the listed experience was credited. Specifically, Agency Services noted that the appellant's Program Specialist 2, Social/Human Services position focused primarily on staffing, and there was no indication of the required experience in the remaining listed positions. Therefore, Agency Services deemed the appellant ineligible since she lacked three years and nine months of experience and thus, per the substitution clause for education, did not meet the experience requirement set forth in the announcement.

On appeal to the Civil Service Commission, the appellant maintains that she is eligible. The appellant also provides a foreign transcript evaluation indicating that she holds the U.S. equivalent of 22.50 semester hour credits from the University of the Punjab, Lahore, Pakistan.

The job specification reveals that an individual in the title of Program Specialist 2, Social/Human Services takes the lead over professional and/or technical staff engaged in program activities and performs professional, administrative, and analytical work to promote the planning, operation, implementation, monitoring, and/or evaluation of human or social services programs.

CONCLUSION

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

A review of the appellant's application reveals that she did not possess the required experience. 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). The amount of time, and the importance of the duty, determines if it is the primary focus. An experience requirement that lists a number of duties that define the primary experience, requires that the applicants demonstrate that they primarily performed all of those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience. *See In the Matter of Jeffrey Davis* (MSB, decided March 14, 2007). In the instant matter, none of the positions the appellant listed on her application, as described by her, had experience in planning, monitoring, coordinating, implementing, modifying, and/or evaluating a social or human services program as the primary focus. Accordingly,

¹ Agency records indicate that the appellant received a provisional appointment to the subject title effective January 30, 2021. She continues to serve in that capacity.

the record reflects that the appellant did not meet the requirements for the title under test.²

Finally, the appellant is presently serving provisionally in the title of Program Specialist 2, Social/Human Services. *N.J.S.A.* 11A:3-1 and *N.J.A.C.* 4A:3-3.1(a) provide that each position in the career and unclassified services shall be assigned to a job title. *N.J.A.C.* 4A:3-3.3(d) provides that positions in the career, unclassified, and senior executive services shall be subject to job audit to ensure accurate classification and compliance with Titles 11A and 4A. Moreover, *N.J.A.C.* 4A:3-3.4 provides that no person shall be appointed or employed under a title not appropriate to the duties to be performed nor assigned to perform duties other than those properly pertaining to the assigned title that the employee holds. However, the primary focus of the appellant's duties, as noted above, would not be classified as taking the lead over professional and/or technical staff engaged in program activities and performing professional, administrative, and analytical work to promote the planning, operation, implementation, monitoring, and/or evaluation of human or social services programs. Therefore, it is appropriate that the matter of the classification of the appellant's provisional position be referred to the Division of Agency Services for a classification review.

ORDER

Therefore, it is ordered that this appeal be denied. It is further ordered that the classification of the appellant's provisional position be referred to the Division of Agency Services.

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 14TH DAY OF AUGUST, 2024



Allison Chris Myers
Chairperson
Civil Service Commission

² The appellant's U.S.-equivalent 22.50 semester hour credits from the University of the Punjab was not mentioned on the original application. Nevertheless, even if this education were to be considered, the appellant could be credited with, at most, an additional nine months of experience, and she would still be short three years of experience.

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