



STATE OF NEW JERSEY

In the Matter of Justin Carter,
Human Services Technician
(PS3504H), Trenton Psychiatric
Hospital

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

CSC Docket No. 2024-1682

Examination Appeal

ISSUED: July 24, 2024 (SLK)

Justin Carter appeals the determination of the Division of Agency Services that he was ineligible for the promotional examination for Human Services Technician (PS3504H), Trenton Psychiatric Hospital based on an incomplete application.

The subject examination had an October 23, 2023, closing date. The experience requirement was one year of experience in the non-professional nursing care of children and/or adults in an institution, nursing home or hospital. A total of 41 employees applied for the subject examination and 29 were admitted. The test has not yet been scheduled.

On the appellant's application, he did not enter any experience, nor did he attach a resume with his application in the Online Application System (OAS). Personnel records indicate that he was a Human Services Assistant from September 2018 to the closing date, and a Direct Care AFSCME from January 2016 to September 2018. Agency Services indicated that due to his incomplete application, his eligibility could not be determined.

On appeal, the appellant initially asserts that he disagrees with the ineligibility determination because the only requirement was that an applicant be in their current title for one year and possess a driver's license, and he met both requirements. The appellant presents that he has been employed in his current

position for nine years working in different units for Trenton Psychiatric Hospital. The appellant submits his resume which describes his experience in more detail.

Further, in a supplement response, the appellant states that he does not understand why he did not qualify for the subject position when the only requirement was that a candidate be employed as a Human Services Assistant for two years. The appellant claims that he did input his experience on his online application for the subject examination although he states “I must mention that the application wouldn’t let me bypass that section without filling something in. When I appealed, I attached my resume, as the appeal application asked me to submit any supporting documentation. I received an error message after attaching it and called Customer Service. The representative indicated that my attachment was successfully submitted.”

CONCLUSION

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 response, Agency Services correctly determined that the appellant was not eligible for the subject examination as a review of the OAS indicates that he did not present any experience on his application, nor did he submit a resume. It is noted that the OAS warns applicants that employment information was not entered in the experience section if the applicant does not do so, and the applicant is required to confirm. 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). Therefore, the experience that the appellant submits on appeal that was not included on his application cannot be considered. In other words, being employed as a Human Services Assistant for one year as of the examination closing date was insufficient to demonstrate his eligibility. Instead, the appellant needed to list this experience on his application and describe his duties so that this agency could evaluate if he was performing the required non-professional nursing duties for the required time. Additionally, as there are 29 applicants who are eligible to take the subject test, it is anticipated that the list will be complete. Therefore, as the examination situation is competitive, there are no grounds to relax the rules. Accordingly, the appellant has


failed to meet his burden of proof in this matter. Moreover, this agency has no record that the appellant called customer service as he claims, and he has not submitted any evidence to support this claim.

ORDER

Therefore, it is ordered that this appeal 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 24TH DAY OF JULY, 2024



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