



**STATE OF NEW JERSEY**

In the Matter of Minerva Martinez,  
Senior Investigator County Welfare  
Agency (PC4228E), Hudson County

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

CSC Docket Nos. 2024-1744, *et al.*

Examination Appeal

**ISSUED: February 5, 2025 (BS)**

Minerva Martinez appeals the determination of the Division of Agency Services (Agency Services) which found that she was not permanent in a title to which the examination was open for Senior Investigator County Welfare Agency (PC4228E), Hudson County. She also appeals her eligibility for the following promotional examinations announced by Hudson County: Human Services Specialist 4 (PC5164D); Assistant Administrative Supervisor of Social Work (PC1962E); Director Social Work Services (PC2003E); Assistant Administrative Supervisor of Social Work (PC2150E); Human Services Specialist 3 (PC2154E); and Human Services Specialist 3, Bilingual in Spanish and English (PC2155E). These appeals have been consolidated due to common issues presented by the appellant.

By way of background, the promotional examination for Senior Investigator County Welfare Agency (PC4228E), Hudson County, was open to employees in the competitive division who had an aggregate of one year of continuous permanent service in the Investigator County Welfare Agency title as of the November 21, 2023 closing date. At the time that eligibility determinations were made, the appellant's available employment record in the County and Municipal Personnel System (CAMPS) indicated that she received a regular appointment to the Human Services Specialist 1, Bilingual in Spanish and English title effective April 2, 2018, and was currently serving in that title. Since the appellant was not permanent in a title to which the examination was open, Agency Services found her ineligible for the subject promotional examination.

In an appeal submitted in February 2024, the appellant appealed her ineligibility for the Senior Investigator County Welfare Agency (PC4228E), Hudson

County examination. In response, in a letter dated March 13, 2024, Division of Appeals and Regulatory Affairs (DARA) staff indicated, in part, that since the available record indicated that the appellant was serving in the Human Services Specialist 1 title, rather than the requisite Investigator County Welfare Agency title, she was not eligible for the subject promotional examination.

In a letter submitted on July 30, 2024, the appellant indicates that her employment record had been corrected to reflect her appointment to the Investigator County Welfare Agency<sup>1</sup> title and requests to be considered for the following eligibility lists for Hudson County: Senior Investigator County Welfare Agency (PC4228E); Human Services Specialist 4 (PC5164D); Assistant Administrative Supervisor of Social Work (PC1962E); Director Social Work Services (PC2003E); Assistant Administrative Supervisor of Social Work (PC2150E); Human Services Specialist 3 (PC2154E); and Human Services Specialist 3, Bilingual in Spanish and English (PC2155E). In a separate letter submitted on the same day, the appellant presents that she is:

. . . formally appeal[ing] the decisions regarding my applications for the positions associated with the symbol numbers above.<sup>2</sup> I submitted my applications [and] I was deemed ineligible since I was previously improperly cataloged in the CAMPS system . . . According to *N.J.A.C.* 4A:4-6.4, the Civil Service Commission has the authority to correct such errors and reinstate individuals to the appropriate position on the employment list.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) provides that applicants for a promotional examination must meet all the requirements specified in an announcement by the closing date. *N.J.A.C.* 4A:4-2.6(a)1 provides, in pertinent part, that applicants for promotional examinations shall have one year of continuous permanent service for an aggregate of one year immediately preceding the closing date in a title or titles to which the examination is open. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

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<sup>1</sup> Agency records indicate that on or about March 26, 2024, her CAMPS record was updated to reflect a provisional appointment, pending qualifying examination procedures, to the Investigator County Welfare Agency, Bilingual in Spanish and English title, effective November 7, 2022; and a regular appointment to the Investigator County Welfare Agency, Bilingual in Spanish and English title effective March 12, 2023.

<sup>2</sup> The appellant specifically listed the following, “PC4228E Senior Investigator County Welfare Agency[;] PC2154E Human Services Specialist 3[;]PC2155E Human Services Specialist 3[, Bilingual in Spanish and English;] P[C]2003E Director Social Work Services[;] PC1962E Assistant Administrative Supervisor of Social Work[;] PC5164D Human Service Specialist 4[; and] PC2150E Assistant Administrative Supervisor of Social Work.”

*N.J.A.C.* 4A:2-1.1(b) provides, in pertinent part, that an appeal must be filed within 20 days after either the appellant has notice or should reasonably have known of the decision, situation, or action being appealed.

With regard to PC4228E, the subject examination was announced on November 1, 2023 and was open to employees in the competitive division with an aggregate of one year of continuous permanent service in the Investigator County Welfare Agency title as of the November 21, 2023 closing date. A review of the record finds that the appellant's CAMPS record was corrected, as noted previously, in March 2024 to reflect a provisional appointment, pending qualifying examination procedures, to the Investigator County Welfare Agency, Bilingual in Spanish and English title, effective November 7, 2022; and a regular appointment to the Investigator County Welfare Agency, Bilingual in Spanish and English title effective March 12, 2023. As also noted previously, her instant request was submitted on July 30, 2024, over four months both after the letter from DARA staff was sent and after her CAMPS record was corrected. As such, pursuant to *N.J.A.C.* 4A:2-1.1(b), her appeal of this matter is clearly untimely. However, for informational purposes, it is noted that since the appellant's permanent title as of the closing date was Investigator County Welfare Agency, Bilingual in Spanish and English, a separate and distinct variant title to which the subject promotional examination was *not* open to, she remains ineligible. It is further noted that even if the subject announcement had been open to the Investigator County Welfare Agency, Bilingual in Spanish and English title, she would not have possessed one year of permanent status in that title as of the November 21, 2023 closing date.

Regarding PC5164D, it is noted that the Civil Service Commission (Commission) has already addressed the issue of her eligibility in *In the Matter of Minerva Martinez, Human Services Specialist 4 (PC5164D)*, Hudson County (CSC, decided May 3, 2023). Accordingly, her current appeal would be considered a request for reconsideration pursuant to *N.J.A.C.* 4A:2-1.6. In this regard, *N.J.A.C.* 4A:2-1.6(a) provides that within 45 days of receipt of a decision, a party to the appeal may petition the Commission for reconsideration. As noted previously, her instant request was submitted on July 30, 2024, approximately one year and three months after the decision in *In the Matter of Minerva Martinez, supra*, was issued. Thus, her request is clearly untimely. Furthermore, for informational purposes, as discussed in that decision, PC5164D was not announced open to specific titles but rather it was announced with certain experience requirements, including one year of experience in a lead worker capacity. As noted in the decision, the appellant lacked the requisite one year of experience in a lead worker capacity as of the September 21, 2022, closing date. Even assuming, *arguendo*, that her request was timely, she has not provided any evidence that she met this requirement as of the closing date.

With respect to PC1962E, it is noted that the announcement for this promotional examination was issued on January 1, 2023 and closed on January 23,

2023. The PC1962E examination was open, in pertinent part, to those employees who were employed in the Department of Housing and Community Reintegration unit scope in Hudson County. A review of the record finds that a notice dated August 2, 2023 was mailed to the appellant to the address she indicated on her application, informing her that she was found ineligible as she was not employed in the announced unit scope. As noted previously, her instant matter was submitted on July 30, 2024, almost one year after the notice indicating her ineligibility was mailed to her. Thus, her appeal of this examination is clearly untimely. *See N.J.A.C. 4A:2-1.1(b)*. Nevertheless, for informational purposes, a review of the record finds that as of the January 23, 2023 closing date, the appellant was employed in the Department of Family Services unit scope. Further, there is no indication in the record that the appellant was *ever* employed in the Department of Housing and Community Reintegration unit scope in Hudson County.

Regarding PC2003E, it is noted that the announcement for this promotional examination was issued on January 1, 2023 and closed on January 23, 2023. A review of the record finds that a notice dated May 3, 2023, was mailed to the appellant to the address she indicated on her application, informing her that she was found ineligible as she was below the minimum requirements in education and experience. As noted previously, her instant matter was submitted on July 30, 2024, approximately one year and three months after the notice indicating her ineligibility was mailed to her. Thus, her appeal with respect to PC2003C is clearly untimely. *See N.J.A.C. 4A:2-1.1(b)*. Nevertheless, for informational purposes, the PC2003E examination was open to employees in the competitive division with an aggregate of one year of continuous permanent service in any competitive title who met the following requirements: graduation from an accredited college or university with a Master's degree in Social Work; and five years of supervisory or administrative social work experience involved in assessing or identifying social problems of clients, determining their needs, and planning and carrying out treatment plans designed to meet those needs. A review of the appellant's application finds that she did not indicate that she possessed a Master's degree in Social Work and moreover, she did not provide any information regarding her experience. It is axiomatic that in the application process, an applicant would set forth on his or her application the duties and responsibilities he or she performed in current and prior positions that would qualify the applicant for the position for which he or she is applying. In this regard, it is incumbent upon all candidates to provide accurate dates of employment and the titles they were serving in, as well as to sufficiently describe how the duties they perform qualify them for the position. This information is essential in order to provide a basis upon which to evaluate the applicant's experience. It is further noted that *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 title 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. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004). Even assuming that she had submitted timely information regarding her experience, there is nothing in her other applications to suggest she possesses the requisite experience indicated above. Regardless, even if she did meet the experience requirements, there is no evidence in the record that she possesses a Master's degree in Social Work.

With regard to PC2150E, it is noted that the announcement for this promotional examination was issued on January 1, 2023 and closed on January 23, 2023. A review of the record finds that a notice dated April 12, 2023, was mailed to the appellant to the address she indicated on her application, informing her that she was found ineligible as she was not permanent in a title to which the examination was open. As noted previously, her instant matter was submitted on July 30, 2024, over one year and three months after the notice indicating her ineligibility was mailed to her. Thus, her appeal is clearly untimely. *See N.J.A.C. 4A:2-1.1(b)*. Nevertheless, for informational purposes, the PC2150E examination was open to employees in the competitive division with an aggregate of one year of continuous permanent service in the Social Work Supervisor title or Social Work Supervisor, Bilingual in Spanish and English title. Even assuming, *arguendo*, that her appeal were timely, she has not provided any evidence that she was serving in either of these titles as of the closing date.

With respect to PC2154E and PC2155E,<sup>3</sup> a review of the record finds that the appellant was found eligible and admitted to both of these examinations which were administered on June 13, 2023. A review also finds that notices dated May 18, 2023, indicating the location, date, and time of the examinations, were mailed to the appellant at the address she had indicated on her applications. However, the appellant failed to appear for the subject examinations. As such, her current appeal would be considered a request for a make-up pursuant to *N.J.A.C. 4A:4-2.9*. In this regard, *N.J.A.C. 4A:4-2.9* provides that a candidate must request, in writing, a make-up examination, within five days after the examination date. As noted previously, the subject appeals were submitted on July 30, 2024, over one year and one month

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<sup>3</sup> It is noted that both of these announcements were issued on January 1, 2023 with a January 23, 2023 closing date and open to employees in the competitive division who had an aggregate of one year of continuous permanent service in the Human Services Specialist 2 or the Human Services Specialist 2, Bilingual in Spanish and English title; or to employees in the competitive division with an aggregate of one year of continuous permanent service in any competitive title who met the following requirements: possession of 60 semester hour credits from an accredited college or university; and two years of experience involving any combination of the following: securing/verifying information and making determination 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 involving the 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.

after the examinations were administered. As such, her requests are clearly untimely. In addition, for informational purposes, it is noted that the Make-Up Unit was contacted regarding this matter and indicated that it had no record that the appellant contacted this agency to request a make-up for PC2154E or PC2155E, prior to her July 30, 2024 appeal letter.

Despite the appellant's claim that she was found ineligible for the above noted examinations because she was "previously improperly cataloged in the CAMPS system," as discussed above, this is inaccurate.<sup>4</sup> As further discussed above, none of the appellant's appeals or requests have been presented timely. Nor is there any basis in this case to extend or to relax the time for appeal. *See N.J.A.C. 4A:1-1.2(c)* (the Commission has the discretionary authority to relax rules for good cause). In this regard, it is appropriate to consider whether the delay in asserting the appellant's right to appeal was reasonable and excusable. *Appeal of Syby*, 66 *N.J. Super.* 460, 464 (App. Div. 1961) (construing "good cause" in appellate court rules governing the time for appeal); *Atlantic City v. Civil Service Com'n*, 3 *N.J. Super.* 57, 60 (App. Div. 1949) (describing the circumstances under which delay in asserting rights may be excusable). Among the factors to be considered are the length of delay and the reasons for the delay. *Lavin v. Hackensack Bd. of Educ.*, 90 *N.J.* 145 (1982). *See e.g., Matter of Allen*, 262 *N.J. Super.* 438 (App. Div. 1993) (allowing relaxation of former Merit System Board's appeal rules where police officer repeatedly, but unsuccessfully, sought clarification of his employment status). In this regard, the appellant has not provided any reasons or documentation as to why she was unable to submit timely appeals or requests.

## ORDER

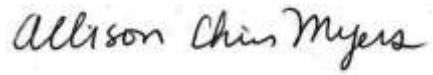
Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in these matters. Any further review should be pursued in a judicial forum.

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<sup>4</sup> Although the appellant was initially found ineligible for the PC4228E examination as her CAMPS record indicated that she was serving in the Human Services Specialist 1, Bilingual in Spanish and English title, as discussed above, she remains ineligible after her CAMPS record was corrected to reflect her appointment to the Investigator County Welfare Agency, Bilingual in Spanish and English title, as the PC4228E examination was not open to that title.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 5<sup>TH</sup> DAY OF FEBRUARY, 2025



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c: Minerva Martinez (Docket No.'s 2025-282, 2025-281, 2025-260, 2025-258,  
2025-257, 2025-256 and 2024-1744)  
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