



STATE OF NEW JERSEY

In the Matter of Frances Perez, Senior
Investigator County Welfare Agency
(PC4228E), Hudson County

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

Examination Appeal

CSC Docket Nos. 2024-1751, *et al.*

ISSUED: February 5, 2025 (BS)

Frances Perez 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); and Assistant Administrative Supervisor of Social Work (PC2150E). 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 Investigator County Welfare Agency, Bilingual in Spanish and English title effective March 12, 2023 and was currently serving in that title. Since the appellant was not serving in a title to which the examination was open, Agency Services found her ineligible for the subject promotional examination.

In appeal dated February 12, 2024, the appellant submitted a copy of her CAMPS record and maintained that this "serve[s] to clarify any discrepancies associated with the date of my permanent hire into this Program Integrity Unity

(07/18/202[2]) as a Regular Investigator, compared to the date utilized by the CSC (03/12/2023) when I was promoted to Investigator Bilingual in Spanish and English. It is crucial to note that this discrepancy has led to my disqualification as a candidate for the aforementioned position of Senior Investigator.” 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 Investigator County Welfare Agency, Bilingual in Spanish and English title, rather than the requisite Investigator County Welfare Agency title, she was not eligible for the subject promotional examination as the subject promotional examination was not open to the bilingual variant title.

In a response submitted on August 2, 2024, the appellant argues that she “was previously improperly cataloged in the CAMPS system and have been able to correct the issue within the County” 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); and Assistant Administrative Supervisor of Social Work (PC2150E).

CONCLUSION

N.J.A.C. 4A:4-2.6(a) requires applicants to possess all the requirements specified in an announcement for a promotional examination 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.

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, as indicated above, 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 reflects that she received a regular appointment to the Investigator County Welfare Agency title effective July 18, 2022, and a regular appointment to the Investigator County Welfare Agency, Bilingual in Spanish and English title effective March 12, 2023. As noted previously, her instant request was submitted on August 2, 2024, over four months after the letter from DARA staff was sent. 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,

N.J.A.C. 4A:4-2.6(a)1 provides 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. Although the appellant argues that she served in the Investigator County Welfare Agency (non-variant) title from July 2022 to March 2023, it is noted that the appellant's permanent title *immediately preceding* the November 21, 2023 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. 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 appellant previously appealed the issue of her eligibility in an appeal received on December 9, 2022. In a letter dated February 9, 2023, DARA staff indicated, in pertinent part, that while Agency Services credited her with having met the education and general experience requirements, it determined that she lacked one year of lead worker experience.¹ As indicated above, her instant request was submitted on August 2, 2024, approximately one year and six-months after the letter from DARA staff was sent. Thus, pursuant to *N.J.A.C.* 4A:2-1.1(b), her attempt to continue to appeal this matter is clearly untimely. Furthermore, for informational purposes, as discussed, in part, in the February 9, 2023 letter, she did not indicate in her application or on appeal that she performed lead worker duties.² Moreover, even assuming, *arguendo*, that her instant appeal were 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,

¹ As indicated in the February 9, 2023 letter, the PC5164D examination was open, in relevant part, to employees in the competitive division who had an aggregate of one year of continuous permanent service as of September 21, 2022 closing date in any competitive title and met the following requirements: possession of 60 semester hour credits from an accredited college or university; and 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 the above experience shall have been in a lead capacity.

² As explained in the February 9, 2023 letter, lead worker duties would include training, assigning and/or reviewing work of other employees on a regular and recurring basis, such that you would have had contact with other employees in an advisory position. 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.

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 was found ineligible as she was not employed in the announced unit scope. As noted previously, her instant matter was submitted on August 2, 2024, 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. In this regard, even if her appeal were timely, she has not provided any evidence that she was *ever* employed in the Department of Housing and Community Reintegration unit scope in Hudson County.

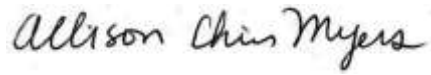
With regard to PC2150E, it is noted that the announcement for this promotional examination was issued on January 1, 2023 and closed on January 23, 2023. A review of the record finds that a notice dated April 12, 2023 was mailed to the appellant to the address she indicated on her application, informing her that 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 August 2, 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.

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.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 5TH DAY OF FEBRUARY, 2025



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