



STATE OF NEW JERSEY

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

Emily Birkenstamm Program
Specialist 2 Social Human Services
(S0365G), Statewide

Examination Appeal

CSC Docket No. 2026-857

ISSUED: September 2, 2026 (EG)

Emily Birkenstamm appeals the determination of the Division of Agency Services (Agency Services) which found that she was below the minimum requirements in experience for the open competitive examination for Program Specialist 2 Social Human Services (S0365G), Statewide.

The subject open competitive examination was announced with pertinent requirements which had to be met as of the announced closing date of April 21, 2025. The examination was open to residents of New Jersey who met the requirements listed on the announcement. The announcement indicated the following requirements: Six years of professional experience in planning, monitoring, coordinating, implementing, modifying and/or evaluating a social or human services program; OR Possession of a bachelor's degree from an accredited college or university; and two years of the above-mentioned professional experience; OR Possession of a master's degree from an accredited college or university in a Social/Human services specialty area, Public or Business Administration, Child Advocacy and Policy, or Child Advocacy and Policy with a concentration in Public Child Welfare; and one year of the above-mentioned professional experience. It was noted that "professional experience" refers to work that is creative, analytical, evaluative, and interpretive; requires a range and depth of specialized knowledge of the profession's principles, concepts, theories, and practices; and is performed with

the authority to act according to one's own judgment and make accurate and informed decisions.

The Division of Agency Services (Agency Services) reviewed the appellant's application and found that she possessed an applicable Master's degree. However, Agency Services determined that none of the appellant's listed work experience was applicable. Thus, she was found to be lacking one year of required experience.

On appeal, the appellant argues that she possesses the necessary experience as she has accumulated several years of relevant experience obtained both within and outside of State service. The appellant contends that as a provisional employee in the title under test, her primary responsibility has been the management of patient's legal obligations as they pertain to court hearings and other judicial matters. She adds that this requires coordinating with the various disciplines, reviewing their existing protocols/procedures, and implementing any necessary modifications to better align with the requirements of the requesting legal entities/agencies. The appellant also indicated other duties such as tracking all admission and discharges, scheduling transfer arrangements of detainees, scheduling and tracking civil commitment hearings, guardianship applications and tracking process, tracking outside hearings/KROL hearing and IST hearings and attending civil commitment hearings, and tracking and obtaining legal information to update in the Oracle system.

Further, the appellant asserts that as a Social Worker 1, some of her responsibilities included monitoring civil commitment hearings and modifying reports to provide updates on patient progress. Also, she was responsible for conducting initial psychosocial assessments for new patients. She adds that she routinely updated these assessments for long-term patients ensuring care plans reflected current needs, and she guided treatment plan meetings, coordinated patient-specific goals, and implemented rehabilitative program initiatives. Moreover, the appellant argues that she gained applicable experience in her position as a Partial Care Counselor with AAMH Partial. Her duties in this position included coordinating scheduled programs with consumers, such as daily living skills, relapse prevention for addiction and dual diagnosis for mental health, evaluating the progress of consumers, and modifying those programs based on the patient's needs. Moreover, she asserts that she gained similar experience as a Partial Care Counselor with Medallion Behavioral Care. Her duties in this position included coordinating and implementing programming, such as clinical mental health and dual diagnosis groups, and she was responsible for evaluating these programs, including spearheading the creation and facilitation of various therapeutic and skills-based programming, including daily living and hygiene skills. Finally, the appellant submits a copy of her resume and her education records in support of her appeal.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open-competitive examination announcement by the closing date. Additionally, *N.J.A.C.* 4A:4-6.3(b) provides that an appellant has the burden of proof in examination and selection disqualification appeals.

In the instant matter, Agency Services properly credited the appellant with having an applicable Master's degree. It also appropriately denied the appellant's eligibility for the subject examination for lacking the required one year of applicable experience. A review of the application and the duties performed by the appellant reveals that while there were some aspects of her job that were consistent with the experience requirements for the title under test, the primary focus of those positions focused on caseloads, monitoring patients, conducting assessments of patients, and scheduling and tracking hearings. It has been established that 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 experience requirements for the Program Specialist 2 Social Human Services examination were professional experience in planning, monitoring, coordinating, implementing, modifying and/or evaluating a social or human services program. The duties listed by the appellant mostly consisted of working with and managing patients and other related tasks such as scheduling and tracking hearings. When describing her duties as a provisional in the title under test, the appellant asserted that her primary responsibility has been the management of patient's legal obligations as they pertain to court hearings and other judicial matters. Those duties are distinct from planning, monitoring, coordinating, implementing, modifying and/or evaluating a social or human services program. Therefore, the primary focus of the duties she performed were not consistent with the experience requirement for the title under test. Consequently, it appears that the appellant's provisional position is misclassified. Accordingly, based on the foregoing, the appellant has not met her burden of proof, and has not provided a basis to disturb the determination of Agency Services that she was ineligible for the title under test.

ORDER

Therefore, it is ordered that the appeal be denied. It is further ordered that the matter of the proper classification of the appellant's position be referred to Agency Services for a classification review. Upon determination as to the appellant's appropriate title, if there is no applicable eligible list for that title, a corresponding announcement for an examination for that title shall be issued.

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 2ND DAY OF SEPTEMBER, 2026



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