

B-20



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Susan Dickenson
and Ronald Francis, Safety Officer,
Mental Health (PS2904K), Ancora
Psychiatric Hospital

Examination Appeals

CSC Docket Nos. 2015-3283 and
2015-3144

ISSUED: **AUG 21 2015** (SLK)

Susan Dickenson and Ronald Francis appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Safety Officer, Mental Health (PS2904K), Ancora Psychiatric Hospital. These appeals have been consolidated due to common issues presented.

The examination at issue was announced with specific requirements that had to be met as of the March 21, 2015 closing date (see attached). A total of three employees applied for the examination which was cancelled due to a lack of qualified applicants.

Ms. Dickenson indicated on her application that she was a Therapist, Art from May 2011 to the March 21, 2015 closing date and she possessed a Master's degree. Agency Services credited Ms. Dickenson with having a Master's degree, but determined that she lacked two years of the required experience.

Mr. Francis indicated on his application that he was provisionally serving in the subject title from January 2014 to the March 21, 2015 closing date, a Crew Supervisor Sheet Metal Workers from January 2005 to January 2014, a Mechanic Non-Automotive from February 1992 to April 2005, and a Repairer from July 1986 to January 1992. Personnel records indicate that the appellant was provisionally serving in the subject title from January 2014 to the March 21, 2015 closing date, a Crew Supervisor Sheet Metal Workers from April 2005 to January 2014, a Mechanic Non-Automotive from August 2000 to April 2005, a Repairer from July

1998 to August 2000, a Mechanic Non-Automotive from February 1992 to July 1998, and a Repairer from July 1984 to February 1992. Mr. Francis did not indicate completion of any college credits. Agency Service credited Mr. Francis with one year and three months of experience for his provisional service in the subject title, but determined that he lacked four years and nine months of experience.

On appeal, Ms. Dickenson indicates that she has worked for the appointing authority for four years and feels that she possesses the skills required for the position. She submits a resume that lists, in addition to her experience with the appointing authority, positions as a Clinical Director for Greater Trenton Behavioral Health Care from May 2000 to June 2004 and as a Clinical Supervisor for Northeast Treatment Centers from April 1997 to May 2000. She also presents that she has been closely involved with inspections while working for these hospitals.

Mr. Francis provides that he has taken numerous training classes that are related to the subject title and has been working in the Safety Department for two years. He submits his Performance Assessment Review (PAR) that indicates he has been doing an outstanding job. Mr. Francis represents that he was a volunteer Fire Fighter from 1988 to 1996 and participated in numerous training sessions and fire and safety drills in this position.

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.

A review of the record indicates that Agency Services correctly determined that the appellants were not eligible for the subject examination. In reference to Ms. Dickenson, her experience as a Therapist, Art is not in the required areas of training, inspection, identification, and correction of safety hazards or the coordination of police and fire services. Further, under *N.J.A.C.* 4A:4-2.1(g), the 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). As such, the Commission cannot consider her experience as a

Clinical Director and a Clinical Supervisor as these positions were not listed on her original application. It is also noted that even if the Commission were to consider these positions, her experience was not in the required area.

With respect to Mr. Francis, Agency Services credited him with one year and three months of experience as of the closing date based on his provisional service in the subject title. However, it correctly determined that he lacked four years and nine months of 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). Mr. Francis' experience as a Crew Supervisor Sheet Metal Workers was not relevant since the primary focus of this position was to supervise mechanics and repairmen. Additionally, his experience as a Repairer and Mechanic Non-Automotive was not in the required areas. On appeal, he indicates that he was also a volunteer Fire Fighter. This position cannot be considered as it was not listed on his original application. It is also noted that even if the Commission were to consider this position, the primary purpose of a Fire Fighter is to extinguish fires and provide other related rescue and emergencies services and not in the required areas.

Therefore, there is no basis to disturb the decisions of Agency Services. Accordingly, the appellants have not met their burdens of proof in these matters.

ORDER

Therefore, it is ordered that these appeals 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 19th DAY OF AUGUST, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Susan Dickenson
Ronald Francis
Alfred Filippini
Kelly Glenn
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC

SYMBOL: PS2904K	WEIGHT CODE: *
TITLE: SAFETY OFFICER MENTAL HEALTH	SALARY: \$53,910.00 - \$76,393.00
ISSUE DATE: March 01, 2015	CLOSING DATE: March 21, 2015
TITLE CODE: 61484/OGRXR7	CLASS CODE: 22
DEPARTMENT: HSHA/HUMAN SERVICES	
UNIT SCOPE: K350 Ancora Psychiatric Hospital	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Two (2) years of experience in work involving the training, inspection, identification, and correction of safety hazards, or the coordination of police and fire services, which shall have included the monitoring of a unified and coordinated institution/facility functional safety program which may include police, fire, hazard and disaster programs.

License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
2. **YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
5. In accordance with Public Law 2010 c. 26, **Veterans pay a reduced application fee of \$15.00** if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.**
6. **SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.**
7. If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so **PLEASE FILE EARLY.**

DPF-256A * Revised 03/09

