

B-25



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Mayra Saab,
Human Services Specialist 1,
Bilingual in Spanish and English
(C0113T), Ocean County

Examination Appeal

CSC Docket No. 2015-3080

ISSUED: **AUG 20 2015**

(RE)

Mayra Saab appeals the decision of the Division of Agency Services which found that, per the substitution clause for education, she did not meet the experience requirements for the open-competitive examination for Human Services Specialist 1 Bilingual in Spanish and English (C0113T), Ocean County.

The subject examination had a closing date of February 26, 2015 and was open to residents of Ocean County who met the announced requirements. These requirements included possession of 60 semester hour credits from an accredited college or university. Applicants who did not possess the required education could substitute the following experience on a year for year basis with 30 semester hour credits being equal to one year of experience: experience involving any combination of the following: 1) securing/verifying information and making determinations or recommendations relating to eligibility or qualifications of applicants for loans, insurance, credit, or entitlement to cash awards, financial benefits or adjustment and settlement of insurance claims; 2) investigations involving the collection of facts and information by observing conditions, examining records, interviewing individuals, and preparing investigative reports of findings; or 3) investigating, establishing, and/or enforcing support obligations in a welfare board or agency, court system, or related agency. The examination has the bilingual variant which also requires applicants to be able to read, write, speak, understand and communicate in English and Spanish sufficiently to perform the duties of the position. Ms. Saab was found to be ineligible based on a lack of experience per the substitution clause for education. 15 candidates appear on the eligible list, which has been certified once, but no appointments have yet been made.

On her application, the appellant indicated that she possessed no college credits. As such, she was required to possess two years of applicable experience. The appellant listed two positions on her application, Community Service Aide, Bilingual in Spanish and English (part-time, 22 hours per week), and Legal Secretary. She was credited with 1 year, 9 months of experience as a Community Service Aide, Bilingual in Spanish and English. Her experience as a Legal Secretary was clearly inapplicable. On appeal, the appellant contends that she possesses 49 college credits and 55 college credits, and she provided college transcripts which verify possession of 49 credits. She also stated that she accrued applicable experience as a Community Service Aide, Bilingual, and as a Legal Secretary.

Commission staff responded that pursuant to *N.J.A.C. 4A:4-2.1(f)*, any supplemental information received after the closing date cannot be considered. It was explained that she submitted college credits that had not been listed on her application, which was supplemental information that could not be accepted after the February 26, 2015 closing date. It was noted that this is a competitive examination, with 15 passing candidates. The appellant was reminded that when she submitted the on-line application, she certified that the information on her application is complete and accurate, and she was instructed to properly fill out future applications. The appellant replied that she had submitted a resume with her application, and that the resume indicated she possessed two years of college education. She explains that she was a Community Service Aide, Bilingual in Spanish and English from May 2012 to March 2015, for a total of 2 years, 10 months. She maintains that she was given incorrect instructions for completing the application and should be credited with the education listed on her resume. She provides an attendance report and performance evaluations.

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.

CONCLUSION

In the instant matter, the appellant was required to possess 60 semester hour credits from an accredited college or university. The appellant did not list college credits on her application, and as such, she was required to meet the experience requirement listed in the substitution clause.

As to her application, the online application process is automated and provides instructions to candidates on how to properly complete their applications. Eligibility for a given examination is determined based on the information provided on the application. The announcement states, "**You must complete your application in detail.** Your score may be based on a comparison of your

background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**" The published announcement also clearly specifies the relevant time frames for filing and amending applications. The Online Application System User Guide repeats, "Failure to complete your application properly may cause you to be declared ineligible or may lower your score if your application is your test paper." The guide asks candidates to carefully review the application to ensure that it is complete and accurate before submitting, and states, if supplemental documents are required, they should be uploaded with the application or submitted within five business days of submitting the online application. Page 23 of the on-line application guide tells candidates to carefully review the announcement to see if additional documentation is needed. To proceed to the payment section, candidates must certify that their application is complete and accurate. The appellant did not submit a resume with her application as she asserts on appeal, nor did she list college credits on her application. For the education section, the appellant indicated that a High School diploma or GED was the highest degree she had earned. She did not select "Some college but no degree," and list the name of the college, major course of study and other information, including the number of credits earned. An example of this option is listed on page 10 of the guide. As noted above, this is a competitive examination, with 15 passing candidates. Acceptance of college credits at this point is considered to be supplemental information, which cannot be accepted after the closing date.

As to the Community Service Aide, Bilingual in Spanish and English position, the appellant indicated on her application that she was employed in that position from May 2012 to February 2015, part-time, 22 hours per week. This prorates to 1 year, 9 months of full-time experience. The appellant's attendance report will not be analyzed for the entire period, but it supports that the appellant worked 22 hours per week, sometimes a few hours more, sometimes a few hours less. A review of the duties of the Legal Secretary position reveals that it does not have, as the primary focus, performing investigations or making determinations or recommendations relating to eligibility or qualifications of applicants for loans, insurance, credit, or entitlement to cash awards, financial benefits or adjustment and settlement of insurance claims. Per the substitution clause for education, the appellant possesses 1 year, 9 months of applicable experience in the first position listed on her application, and thereby lacks 3 months of qualifying experience.

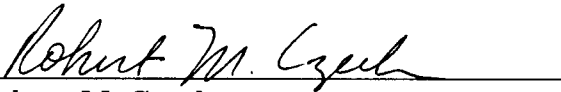
An independent review of all material presented indicates that the decision of the Division of Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support her burden of proof in this matter.

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 19th DAY OF AUGUST, 2015



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