

B-17



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Mirian Vargas,
Supervisor of Senior Citizen
Activities (M0632U), Trenton

CSC Docket No. 2017-2378

Examination Appeal

ISSUED: APR 21 2017 (RE)

Mirian Vargas appeals the decision of the Division of Agency Services (DAS) which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Supervisor of Senior Citizen Activities (M0632U), Trenton.

The examination at issue was announced with specific requirements that had to be met as of the September 5, 2016 closing date (see attached). There was one admitted candidate, and the eligible list has been certified once, but no appointments have yet been made.

On her application, the appellant did not indicate possession of any college credits, and therefore was required to have seven years of applicable experience. She listed five positions on her application: provisional Supervisor of Senior Citizen Activities, and four positions as a Clerk 1, Bilingual Spanish and English. She received credit for 2 years, 9 months of experience in her provisional position. None of the remaining positions had the announced experience as the primary focus. As such, she was found to be lacking 4 years, 3 months of experience.

On appeal, the appellant states that she should be eligible as she was performing the duties of a Supervisor of Senior Citizen Activities, along with her Clerk duties, from February 2012 to her provisional appointment in August 2014.

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

CONCLUSION

At the outset, it is noted that qualifying experience has the announced experience requirement as the primary focus of the position. That is, the announced experience should be the main duty of the listed position. An experience requirement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they *primarily* performed *all* those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience.

Titles are categorized as professional, para-professional or non-professional. *N.J.A.C. 4A:4-2.5(a)1* states that professional titles require at least a Bachelor's or higher level degree, with or without a clause to substitute experience. Thus, since the Supervisor of Senior Citizen Activities title requires completion of a Bachelor's degree with a substitution clause, which permits additional experience in lieu of the college credits, it is considered a professional title, and the announced experience requirement involves professional experience. Aside from her provisional position, the appellant's remaining positions with Trenton were clerical. Experience in non-professional titles is not at the level and scope of the announced experience requirement and is not acceptable. Additionally, the duties she listed for her first position as Clerk 1, Bilingual Spanish and English included clerical duties in addition to any applicable duties for Supervisor of Senior Citizen Activities. Even if she had been solely performing applicable duties for Supervisor of Senior Citizen Activities, she would still lack 2 years, 4 months per the substitution clause for education.

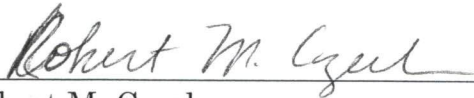
An independent review of all material presented indicates that the decision of DAS that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed 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 APRIL, 2017



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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: Mirian Vargas
Terry McEwen
Kelly Glenn
Records Center



Job Announcements

[← back](#)

printable version

Symbol: M0632U

Title: SUPERVISOR OF SENIOR CITIZENS ACTIVITIES

Issue Date: 08/15/2016

Closing Date: 09/05/2016

Jurisdiction: TRENTON

Salary: \$35,242.00 - \$54,710.00 Per Year

Num. of Positions: 1

Workweek: 35 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

Trenton City

REQUIREMENTS:

EDUCATION: Graduation from an accredited college or university with a Bachelor's degree.

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

EXPERIENCE: Three (3) years of experience in programs serving senior citizens in the field of social work, public health, recreation, gerontology, psychology, and/or community organization work.

NOTE: Possession of a Master's degree in any of the above fields may be substituted for one (1) year of the required experience. If you are substituting education for some of the required experience, please upload a copy of your transcript with your application. Failure to do so will result in ineligibility.

NOTE: Foreign transcripts must be evaluated by a recognized evaluation service. Please upload a copy of your evaluation with your application. Failure to do so will result in ineligibility.

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.

Customer Care and Technical Support: If you are having difficulty submitting your application online, customer care and technical support 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.nj.gov 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.

IMPORTANT INFORMATION:

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **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.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
6. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq). Those claiming Veteran's Preference but have not yet received approval from DMAVA must pay the full application fee and may request a refund if the claim is approved at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.
7. Application fees submitted via personal check or money order must be postmarked within **five (5) business** days of submitting your application. If your fee is postmarked after five (5) business days, or is returned as invalid, you will

be declared ineligible and denied admittance to the examination process.

- Read Description of Job and Specification: **04069**
- **Click here to apply via the Online Application System**

 back

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