



STATE OF NEW JERSEY

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

In the Matter of Mary Myers,
Training Technician 1 (PS5379T),
Motor Vehicle Commission

Examination Appeal

CSC Docket No. 2018-1389

ISSUED: APRIL 9, 2018 (SLK)

Mary Myers appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Training Technician 1 (PS5379T), Motor Vehicle Commission.

The examination at issue was announced with specific requirements that had to be met as of the July 21, 2017 closing date. The education requirement was a Bachelor’s degree. The experience requirements were one year of experience organizing and conducting employee training programs such as new hire orientation, in-service, refresher, or other similar training and development classes/courses; or one year of teaching experience in elementary school through college, which shall have included curriculum development and/or the organization of learning programs. A total of two employees applied for the subject examination which resulted in a list of one eligible with an expiration date of November 1, 2020. Certification PS171805 was issued which resulted in the appointment of the one eligible.

On her application, the appellant indicated she possessed a Bachelor’s degree. Additionally, the appellant indicated that she was a Training Assistant from January 2017 to the July 21, 2017 closing date, a Technician MVC from June 2013 to January 2017, a Technician Trainee MVC from December 2012 to June 2013, and held various positions in the private sector from January 2004 to December 2012. Agency Services credited the appellant with having met the

education requirement and having seven months of experience based on her service as a Training Assistant, but determined that she lacked five months of the required experience.

On appeal, the appellant asserts that she has 11 years of experience and indicates, in addition to her full-time experience performing training duties as a Training Assistant, she spent several hours per month in every other position that she held performing training duties.

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.

Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant possessed a Bachelor's degree and had seven months of applicable training experience as a Training Assistant as of the July 21, 2017 closing date. However, while the appellant may have performed training duties several hours per month throughout her career, the primary focus of her other positions in State service and the private sector was not training. 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).

Therefore, there is no basis to disturb the decision of Agency Services. Accordingly, the appellant has not met her burden of proof in this matter.

ORDER

Therefore, it is ordered that the 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 4th DAY OF APRIL, 2018



Deirdre L. Webster Cobb
Acting Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Mary Myers
Kelly Glenn
Records Center