



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE  
ACTION OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Alba Aquino,  
Hudson County

Reconsideration

CSC Docket No. 2019-648

ISSUED: June 28, 2019 (EG)

Alba Aquino petitions the Civil Service Commission (Commission) for reconsideration of the attached final administrative decision, rendered on July 18, 2018, in which the Commission found that she was below the minimum requirements in experience for the promotional examination for Human Services Specialist 1 (PC2741V), Hudson County.

By way of background, an examination for Human Services Specialist 1 (PC2741V), Hudson County was announced with an education requirement of possession of 60 semester hour credits from an accredited college or university. Applicants who did not possess the required education could substitute experience on a year for year basis. The experience requirement was securing/verifying information and making determinations or recommendations relating to eligibility or qualifications of applicants for loans, insurance, credit, employability, and/or job training services, or entitlement to cash awards, financial benefits or adjustment and settlement of insurance claims; investigations involving the collection of facts and information by observing conditions, examining records, interviewing individuals, and preparing investigative reports of findings; or investigating, establishing, and/or enforcing support obligations in a welfare board or agency, court system, or related agency. In reviewing the petitioner's application, the Division of Agency Services determined that none of her work experience was applicable. On appeal, the petitioner argued that she possessed the required experience for the subject examination. The Commission found that while the petitioner claimed to have performed some applicable work, it was clear that the primary focus of the positions she listed was not in the securing/verifying of

information and making determination or recommendations or investigations or establishing and/or enforcing support obligations. Therefore, the Commission denied the appeal.

In the instant matter, the petitioner reiterates that she has sufficient experience to be eligible for the subject examination. She adds that her duties include being allowed to make determinations on individual eligibilities as to whether the case is approved, sanctioned, denied, suspended, closed or on application status. Further, she contends that she did not submit all her job experience in the prior appeal because she assumed it was not necessary as she alleges that she was told that after one year of experience as a Human Services Aide, she would automatically be entitled to take the subject examination. In this regard, it is noted that the petitioner made the same argument in her prior appeal.

### CONCLUSION

*N.J.A.C.* 4A:2-1.6(b) sets forth the standards by which a prior decision may be reconsidered. This rule provides that a party must show that a clear material error has occurred or present new evidence or additional information not presented at the original proceeding which would change the outcome of the case and the reasons that such evidence was not presented at the original proceeding.

In the instant matter, the appellant argues that she did not provide all of her job experience as she thought it was not necessary. However, a review of the file in this matter, including the materials submitted in her prior appeal, reveals that the petitioner made the same argument in the previous appeal. Thus, the petitioner has not sufficiently explained why she did not include all of her job experience in the original proceeding. Further, while the petitioner added examples of the eligibility determinations she makes, this addition does not persuade the Commission to change its prior determination that primary focus of the positions she listed were not congruous with the experience requirements for the subject examination. Accordingly, based on the foregoing, the petitioner has not presented any new evidence or persuasive arguments that the Commission erred in its prior decision and her request for reconsideration is denied.

### ORDER

Therefore, it is ordered that the request for reconsideration 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 26TH DAY OF JUNE, 2019

*Deirdre' L. Webster Cobb*

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Deirdré L. Webster Cobb  
Chairperson  
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and  
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Attachment

c: Alba Aquino  
Elinor M. Gibney  
Kelly Glenn  
Records Center



## STATE OF NEW JERSEY

Alba Aquino, Human Services  
Specialist 1 (PC2741V), Hudson  
County

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

Examination Appeal

CSC Docket No. 2018-2151

ISSUED: JULY 23, 2018 (EG)

Alba Aquino appeals the determination of the Division of Agency Services (Agency Services) which found that she was below the minimum requirements in experience for the promotional examination for Human Services Specialist 1 (PC2741V), Hudson County.

The subject promotional examination was announced with pertinent requirements which had to be met as of the announced closing date of December 21, 2017. Specifically, applicants were required to possess 60 semester hour credits from an accredited college or university. Applicants who did not possess the required education could substitute experience on a year for year basis. The experience requirements was securing/verifying information and making determinations or recommendations relating to eligibility or qualifications of applicants for loans, insurance, credit, employability, and/or job training services, or entitlement to cash awards, financial benefits or adjustment and settlement of insurance claims; investigations involving the collection of facts and information by observing conditions, examining records, interviewing individuals, and preparing investigative reports of findings; or investigating, establishing, and/or enforcing support obligations in a welfare board or agency, court system, or related agency. It is noted that the subject eligible list was promulgated with three eligibles on March 15, 2018 and expires on March 14, 2021. The list has been exhausted as the three eligibles have all received regular appointments from the subject eligible list.

A review of the appellant's application indicates that she worked as a Human Services Aide, Bilingual in Spanish and English, from September 2014 through the closing date of the examination, and as a Clerk 1, Bilingual in Spanish and English

from October 2009 to September 2014. In reviewing the appellant's application, Agency Services determined that none of her work experience was applicable.

On appeal, the appellant argues she possess the required experience for the subject examination. Additionally, the appellant asserts that her duties as a Human Services Aide, Bilingual in Spanish and English included the following: downloading online applications and updating information after interviewing clients over the telephone; interpreting phone calls for Human Services Specialist 1s; informing clients of which documents are needed for qualification or eligibility; has experience with computer systems utilized by Human Services Specialist 1s; rescheduling appointments; and verifying income of clients. Further, the appellant states that beginning in September 2014 she was given authority to make suggestions and determinations on individual eligibility as to whether a case was closed, approved, denied, suspended, or sanctioned.

### CONCLUSION

*N.J.A.C. 4A:4-2.6(a)2* provides that applicants shall meet all requirements specified in the promotional 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 appropriately denied the appellant's eligibility for the subject examination for lacking the required applicable experience. A review of the appellant's application and appeal submissions reveals that her primary duties consisted of interacting with clients and providing them with information, verifying information, and translating during the interview process and for phone calls to supervisors. 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). *See also, In the Matter of Karen Conti* (CSC, decided April 19, 2017) (Commission noted that an experience requirement in an announcement 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). Thus, although on appeal the appellant claims to have performed some applicable work, it is clear the primary focus of the positions she listed was not in the securing/verifying of information and making determination or recommendations or investigations or establishing and/or enforcing support obligations. 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 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 18TH DAY OF JULY, 2018



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