



STATE OF NEW JERSEY

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

In the Matter of Nesha Howell,
Employment Specialist (PC0030A),
Essex County

CSC Docket No. 2020-456

Examination Appeal

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ISSUED: September 12, 2019 (RE)

Nesha Howell appeals the decision of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Employment Specialist (PC0030A), Essex County.

The subject promotional examination had a closing date of January 22, 2019 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who met the announced requirements. These requirements included possession of a Bachelor's degree from an accredited college or university, and one year of experience in manpower development and training, job placement, education, vocational counseling, or a combination thereof. The appellant was found to be ineligible based on a lack of experience. As no candidates were admitted, the examination was cancelled on August 8, 2019.

On her application, the appellant indicated that she possessed a Bachelor's degree and she listed four positions on her application and resume: provisional Employment Specialist, two positions as Senior Receptionist and Receptionist Typist/Administrative Assistant. Official records indicate that the appellant never held the title Administrative Assistant, but was also a Receptionist, Keyboarding Clerk 1, and Data Entry Machine Operator Typing. She was credited with eleven months of experience in her provisional position, and was found to be lacking one month of qualifying experience as of the closing date.

On appeal, the appellant argues that she should be eligible as she acquired applicable experience in her positions.

CONCLUSION

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.

N.J.A.C. 4A:1-1.2(c) provides that the Civil Service Commission may relax the rules for good cause in a particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the instant matter, the appellant received credit for her provisional Employment Specialist experience. The Division of Agency Services correctly determined that the appellant was not eligible for the subject examination as non-professional experience in clerical titles cannot be accepted for the required professional experience. As she lacked one month of experience by the closing date, she was correctly found to be ineligible for this examination. Nevertheless, the appellant has accrued an at least an additional one month of experience in her provisional position since the January 2019 closing date, and continues to serve in her provisional position, and there is no eligible list. As such, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a), and accept the appellant's experience after the closing date and admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's application be processed for prospective appointment only.

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 10th DAY OF SEPTEMBER, 2019



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