

B-32



STATE OF NEW JERSEY

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

In the Matter of Tina Marie Lopez,
Assistant Training Supervisor County
Welfare Agency (PC0636U), Union
County

Examination Appeal

CSC Docket No. 2017-708

ISSUED: APR 11 2017 (RE)

Tina Marie Lopez appeals the decision of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Assistant Training Supervisor County Welfare Agency (PC0636U), Union County.

The examination at issue was announced with specific requirements that had to be met as of the April 21, 2016 closing date (see attached). Ms. Lopez was found to be below the minimum requirements in experience. As no applicants were admitted, the examination was cancelled on September 17, 2016.

On her application and resume, Ms. Lopez indicated that she possessed a Bachelor's degree, and she listed three positions on her application from 1999 to the closing date: Human Services Specialist 4, 3 and 2. The appellant also indicated that she possessed a Master's degree in Public Administration, which was not an acceptable substitute for the required experience. Official records indicate that the appellant was also a Human Services Specialist 1 and Keyboarding Clerk 1 for some time that she indicated she was a Human Services Specialist 2. The appellant was credited with one year, three months of experience in the first position, and was found to be lacking two years, nine months of experience.

On appeal, Ms. Lopez argues that she has been performing the required training duties since 2006. In 2012 and 2013, she was the team leader for a training group, and she monitored program roll-out, created training plans and presented them to the team. The Director of the Union County Department of Human Services

supports this appeal and states that since 2011 Ms. Lopez conducted training regarding new rules and regulations and conducted in-service trainings for employees. The Director also states that in 2009 Ms. Lopez developed a tuition reimbursement program and in 2012 she was team leader of a training group transitioning the agency to a new operating model. Also, her supervisor states that for five years Ms. Lopez has been training staff, creating training modules, and doing outreach training to the community.

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:4-2.6(c) provides in pertinent part that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception.

CONCLUSION

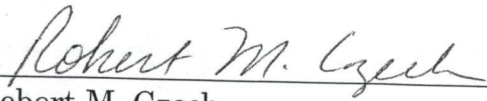
In the instant matter, the appellant received credit for her experience as a Human Services Specialist 4 from February 2015 to the April 2016 closing date. Primarily performing the duties required to establish eligibility for the title under test would be considered out-of-title work for incumbents in the Human Services Specialist 3 title. However, the Director of the Union County Department of Human Services and the appellant's supervisor verify that she has performed the required out-of-title duties since July 2011 and she continues to perform those duties as a Human Services Specialist 4. Further, there were no admitted candidates, and the performance of applicable out-of-title work duties has been provided. Under these circumstances, the appellant's out-of-title work should be accepted for eligibility purposes only. With the acceptance of this work the appellant possesses at least an additional two years, nine months of applicable experience.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

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 5th 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: Tina Marie Lopez
Michael Yuska
Kelly Glenn
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION
COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



[Click here to file Online](#) Print
\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

SYMBOL: PC0636U

TITLE: ASSISTANT TRAINING SUPERVISOR COUNTY WELFARE AGENCY

ISSUE DATE: April 01, 2016

TITLE CODE: 00801/ DNRVR5

JURISDICTION: UNION COUNTY

DEPARTMENT: HUMAN SERVICES

WEIGHT CODE: *

SALARY: \$72,413.00 - \$95,208.00

CLOSING DATE: April 21, 2016

JURISDICTION CODE: N20000030

Visit www.state.nj.us/csc
And select "Job Announcements"
to view this announcement and to file an application

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute 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: Four (4) years of experience in determining training needs, developing training plans and materials, and conducting training programs, or four (4) years of supervisory experience of an income maintenance program or social service program in a welfare agency.

Note: A Master's degree in Social Work from an accredited college or university may be substituted for two (2) years of the above experience. You must indicate the details of your Master's degree on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

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. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
2. **ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
5. In accordance with Public Law 2010 c.26, **Veterans pay a reduced application fee of \$15.00** if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.** (i.e. Police, Fire, Corrections and Sheriff).
6. **If you are having difficulty submitting your application online, technical support and customer care 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.state.nj.us or call (609) 292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.**

DPF-256A * Revised 03/09