



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Wanda Turner,  
Public Health Representative 3  
(PS3422H), Department of Health

Examination Appeal

CSC Docket No. 2017-2571

ISSUED: MAY 19 2017 (SLK)

Wanda Turner appeals the determination of the Division of Agency Services (Agency Services) that she was below the minimum requirements in experience for the promotional examination for Public Health Representative 3 (PS3422H), Department of Health.

The examination at issue was announced with specific requirements that had to be met as of the September 21, 2016 closing date (see attached). A total of two employees applied for the subject examination and both were deemed ineligible. Therefore, the examination was cancelled due to a lack of qualified applicants.

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:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, 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. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

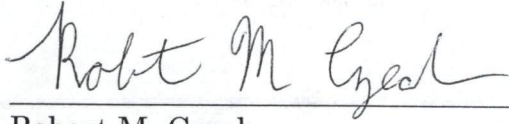
Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant only indicated on her application that she provisionally served in the subject title from July 2015 to the September 21, 2016 closing date and did not list any other experience. On appeal, the appellant indicates that, as a Technician, Management Information Systems from September 2007 to July 2015 and as a Senior Technician, Management Information Systems from April 2005 to September 2007, she performed the required duties while working out-of-title. The importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Agency Services can make the initial determination whether to admit or reject an applicant. Agency Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner. Although *N.J.A.C. 4A:4-2.1(f)* proscribes the amendment of an application after the closing date set in the announcement, the Civil Service Commission (Commission) notes several circumstances present that provide good cause to permit the appellant to amend her application in this particular matter. In this regard, the appellant's performance evaluations from the appointing authority confirm that she has been performing the required duties, out-of-title, as far back as October 1, 2006, by monitoring vendors for the State's Women, Infants & Children's (WIC) public health nutrition program to ensure that vendors comply with government regulations and vendor agreements. Therefore, the Commission is satisfied that her experience warrants her admission to the subject examination. Additionally, the examination was cancelled due to a lack of qualified candidates and the appellant continues to serve provisionally in the subject title. Accordingly, good cause is established to relax the provisions of *N.J.A.C. 4A:4-2.1(f)*, and to accept Ms. Turner's out-of-title work experience for eligibility purposes only, and admit her to the subject examination.

### ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded, and Wanda Turner's application be processed for prospective employment opportunities 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 17<sup>th</sup> DAY OF MAY, 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: Wanda Turner  
Loreta Sepulveda  
Kelly Glenn  
Records Center



SYMBOL: <b>PS3422H</b>	WEIGHT CODE: *
TITLE: <b>PUBLIC HEALTH REPRESENTATIVE 3</b>	SALARY: <b>\$45,053.00 - \$63,538.00</b>
ISSUE DATE: <b>September 01, 2016</b>	CLOSING DATE: <b>September 21, 2016</b>
TITLE CODE: <b>62922/IORXR2</b>	CLASS CODE: <b>18</b>
DEPARTMENT: <b>HLA/HEALTH</b>	
UNIT SCOPE: <b>H400 Division of Family Health Services</b>	

**Visit [www.state.nj.us/csc](http://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.

Experience: One (1) year of experience in a health or social service related program which shall have included responsibilities for interviewing, investigating, and/or conducting public health care surveys or patient care services.

Note: Applicants who do not possess the required education may substitute experience as indicated on a year-for-year basis.

License: Appointee 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, including assignment to the department and unit scope, must be met as of the closing date.
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- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, 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.
6. SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.
7. 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](mailto:OAS.support@csc.state.nj.us) 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.

DPF-256A \* Revised 03/09