



**STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION**

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

In the Matter of Robin Pressley,
Senior Lab Technician (PS2173K),
Ancora Psychiatric Hospital

CSC Docket No. 2017-3362

Examination Appeal

ISSUED: March 28, 2018 (AMR)

Robin Pressley appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Senior Lab Technician (PS2173K), Ancora Psychiatric Hospital.

The subject examination was announced with a closing date of December 21, 2016 and was open, in part, to employees in the non-competitive division who were currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the title of Clinical Laboratory Technician, and met the requirement of one year of experience as a technician in a public health, hospital, clinic or research laboratory performing various types of tests. Applicants were also required to possess 60 semester hour credits from an accredited college or university, 24 hours which shall have been in Biological, Chemical and/or Physical Sciences. Successful completion of a certificate program in Clinical Laboratory Technology could be substituted for the required education. Applicants who did not possess the required education or certification could substitute them with two additional years of the required experience. Pressley was the only applicant who applied for the subject examination that was cancelled on April 21, 2017 due to a lack of qualified applicants. Pressley is also the only current provisional serving in the subject title.

The appellant indicated on her application that she was serving provisionally in the subject title from February 2014 to the closing date, December 2016. She also served as Acting Senior Laboratory Technician from February 2014 to March 2016, and Clinical Laboratory Technician from February 1999 to February 2014. A

review of the appellant's personnel record indicates that she was an interim appointee to the subject title from April 2015 to January 2016 and served as a Clinical Laboratory Technician from June 2001 to April 2015. It is noted that the appellant was provisionally appointed to the subject title in January 2016. The appellant also indicated that she possessed a National Phlebotomy Association certificate and completed a course of study as a specialized clinical technician. Agency Services did not credit her with any applicable experience.

On appeal to the Civil Service Commission (Commission), the appellant states that she has been serving in the subject title for three years, first as an interim appointment and then provisionally, and has been performing many of the required 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:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

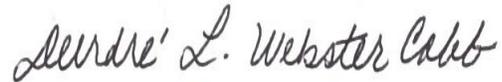
Initially, it is noted Agency Services correctly determined that the appellant was not eligible for the subject examination, as she did not meet the education or experience requirements by the December 21, 2016 closing date. Specifically, Agency Services did not credit Pressley with any experience. Although Pressley's experience as a Senior Laboratory Technician and certification and education do not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the subject title is consistent with her classification and the totality of her varied levels laboratory experience warrants her admission to the subject examination. Additionally, the subject examination was cancelled and the appellant continues to serve provisionally in the title under test. Accordingly, good cause exists to accept the totality of appellant's education, certification and experience and her provisional experience as a Senior Laboratory Technician after the closing date, for eligibility purposes only, and to admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, and Robin Presley'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 27th DAY OF MARCH , 2018



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