

In the Matter of Jaclyn Hepner, Technical Program Assistant (PS3192I), South Woods State Prison

CSC Docket No. 2017-3398

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED:

April 6, 2018

(AMR)

Jaclyn Hepner 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 Technical Program Assistant (PS3192I), South Woods State Prison.

The subject examination was announced with a closing date of July 21, 2016 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 possessed five years of experience in work involving application of rules, regulations, procedures or policies in the processing of technical actions. A total of four applicants applied for the subject examination that resulted in a list of two eligibles with an expiration date of November 23, 2019. There has been one appointment made from the eligible list.

The appellant indicated on her application that she has been serving as a Communications Operator from July 2000 to the closing date. A review of the appellant's personnel record indicates that she is serving in the title of Communications Operator DOC from June 2017 to July 2017. She held the title of Communications Operator, Secured Facilities from January 2001 to June 2017 and the title Communications Operator Trainee from July 2000 to January 2001.

Agency Services initially admitted the appellant to the subject examination. However, after the appellant's application was re-reviewed, Agency Services amended its determination, did not credit her with any applicable experience, and advised her that she was ineligible for the subject examination.

On appeal, the appellant clarifies her duties as a Communications Operator, Secured Facilities and maintains that she exceeds the requirements for the subject examination. In this regard, she states that the job specification for Communications Operator, Secured Facilities indicates that incumbents perform a variety of technical duties.

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.

CONCLUSION

In the present matter, a review of the documentation demonstrates that the appellant is not eligible for the examination. Incumbents in the Communications Operator, Secured Facilities title primarily perform a variety of technical, clerical, and communications functions, receives/transmits emergency and nonemergency radio and telephone messages, assists in the mail processing, collection, and distribution system within the institution, and under supervision of the operations officer, develops and adjusts daily work schedules for custody staff. As such, experience in work involving application of rules, regulations, procedures or policies in the processing of technical actions would be considered out-of-title work for incumbents in this title. N.J.A.C. 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements. Regardless, the appellant did not indicate performance of the required out-of-title duties on her original application or provide any documentation on appeal that she primarily performed the required out-of-title work.

Additionally, 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). The appellant's original application materials demonstrate that she primarily performed the duties of an incumbent in the Communication Operator, Secured Facilities title series. As such, she was properly deemed ineligible for the subject examination.

A thorough review of all material presented indicates that the determination of the Division of Agency Services, that the appellant did not meet the announced requirements for eligibility by the examination closing date, is supported by the record. Thus, the appellant has failed to support her burden of proof in this matter.

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 $4^{\rm th}$ DAY OF APRIL , 2018

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