



STATE OF NEW JERSEY

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

In the Matter of Aaliyah Dent,
Section Chief Health Care Facility
(PS3298K), Department of Human
Services

Examination Appeal

CSC Docket No. 2018-2477

ISSUED: MAY 4, 2018

(SLK)

Aaliyah Dent appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Section Chief Health Care Facility (PS3298K), Department of Human Services.

The examination at issue was announced with specific requirements that had to be met as of the August 21, 2017 closing date. The education requirement was a Bachelor's degree. The experience requirements were four years of experience managing a hospital program, large mental health facility, or social services agency. A Master's degree in Hospital Administration, Nursing Home Administration, Public Administration, Business Administration, or a public health related field could be substituted for one year of the required experience. Applicants who did not possess the required experience could substitute experience as a Program Coordinator Mental Health (60555) on a year-for-year basis. A total of 14 employees applied for the subject examination which resulted in a list of six eligibles with an expiration date of April 4, 2020. Certification PS180423 was issued containing the names of the six eligibles and its disposition is due July 11, 2018.

The appellant indicated on her application that she possessed a Master's and Doctorate degree in Social Work. Personnel records indicate that she was a Program Specialist 3, Social/Human Services (Program Specialist 3) from November 2013 to the August 2017 closing date and a Social Work Supervisor 3, Psychiatric

from August 2011 to November 2013. The appellant also indicated on her application that she worked in various other positions in both government service and the private sector from January 2001 to August 2011. Agency Services credited the appellant for meeting the education requirement, but determined that she lacked four years of the required experience.

On appeal, the appellant submits her performance evaluations as a Social Work Supervisor 3 and Program Specialist 3 to support her assertion that she performs the required duties. She believes that if she was performing the duties as outlined in her performance evaluations then she cannot be performing out-of-title work. The appellant presents that she was assigned to the social services work program in the cottage setting at Greystone Psychiatric Hospital (Greystone). She explains that as a Social Work Supervisor 3, she supervised staff who provided housing, psychiatric and rehabilitation services for more than 60 patients. The appellant also submits a determination of a grievance that she filed that indicates that she was not performing out-of-title duties as a Program Specialist 3. She highlights that the announcement indicated that experience as a Program Coordinator Mental Health can be substituted for the required experience and claims that Program Coordinators and Program Specialist 3s perform the same duties at Greystone, which was the basis of her grievance. Therefore, she believes her experience as a Program Specialist 3 should be accepted. Finally, she argues that she is being treated unfairly as other employees who were admitted to the subject examination have similar educational and employment backgrounds.

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:4-2.6(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:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In the instant matter, Agency Services correctly determined that the appellant is not eligible for the examination. The appellant received credit for meeting the education requirement. However, the appellant's Master's and Doctorate degrees in Social Work cannot be substituted for experience as they are not in one of the required fields. With respect to her experience as a Social Work Supervisor 3, Psychiatric, a review of the job specification for that title indicates that incumbents are assigned to a specific aspect of the psychiatric social service program, whereas a Social Work Supervisor 2, Psychiatric has charge of the work program. Similarly, the examples of work for the job specification for Program Specialist 4 Social/Human Services indicates that this title oversees program

activities and operations while a Program Specialist 3 does not. In other words, incumbents in the appellant's titles do not manage hospital programs. Therefore, if the appellant was performing duties consistent with her titles as a Social Work Supervisor 3, Psychiatric and a Program Specialist 3, she was not performing duties applicable to the title under test. On the other hand, if the appellant was performing the required duties while serving in those title, such duties would be considered out-of-title. As the list is complete, there is not good cause to consider her out-of-title duties. Moreover, while the appellant claims that Program Specialist 3 performs the same duties as Program Coordinator Mental Health at Greystone, these are two separate titles with two separate job specifications and the announcement only indicates that experience as a Program Coordinator Mental Health can be substituted for the required experience.

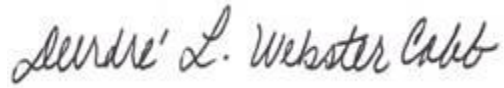
Some other matters need to be addressed. The appellant's grievance that determined that she was not performing out-of-title work as a Program Specialist 3 has no bearing on this matter as the Civil Service Commission has sole responsibility for determining whether an employee is performing duties consistent with the State Classification Plan. Regardless, as previously stated, if the appellant was performing in-title duties, she was not performing the required duties for the subject examination and if she was performing out-of-title duties, these duties cannot be credited in this circumstance. If the appellant believes that she is performing out-of-title duties, she can petition the Division of Agency Services for a classification review. With respect to her claim that she is being treated unfairly, a review of the applications for the individuals that the appellant mentioned in her appeal who applied to the subject examination had experience as a Program Coordinator Mental Health, which could be substituted for the required experience as indicated in the announcement, while the appellant did not serve in this title and there is no substitute in the announcement for her experience.

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 2nd DAY OF MAY, 2018



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Aaliyah Dent
Kelly Glenn
Records Center