

provide duties for each of these titles, which she did. She was then credited with four months of experience in her provisional position and found to be lacking two years, eight months of applicable experience.

On appeal, the appellant states that she was hired in 2013 as Director of Hollowbrook Community Center and she still holds the same title. She provides some of the duties that she performed during her employment with Ewing Township, and maintains that since 2014 she has assumed the responsibility of Assistant Director of Community Affairs, and performs her supervisor's duties in his absence. She maintains that although she had to separate her employment record according to the titles she held, her duties and responsibilities did not change.

CONCLUSION

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.

A review of the appellant's application reveals that she does not meet the announced requirements. Experience gained in an "acting capacity" in any title cannot be considered. As such, experience is considered only if it is gained in a recognized type of appointment. *See In the Matter of Walter Furtney* (MSB, decided April 18, 2000), *aff'd on reconsideration* (MSB, decided September 26, 2000). *See also In the Matter of Robert Dsurney, Deputy Fire Chief* (MSB, decided September 10, 2002).

In the present matter, the appellant received credit for her time as a provisional in the subject title based on the clarification of duties that she provided to Agency Services on its request. In the remaining positions with Ewing Township, the appellant was not in supervisory titles and was not responsible for supervision. Her remaining positions did not have the announced experience requirement as the primary focus. As the appellant was not responsible for supervision in her prior held local government positions, she can only be credited with experience in her provisional position. On appeal, the appellant maintains that she was working out-of-title, but she was not doing so if she was not supervising.

The appellant was denied admittance to the subject examination since she lacked the minimum requirements in experience. An independent review of all material presented indicates that the decision of the Agency Services, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. 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 20th DAY OF JUNE, 2018



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