



STATE OF NEW JERSEY

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

In the Matter of Danielle Dwyer,
Advocate, Victim-Witness Program
(C0521V), Burlington County

Examination Appeal

CSC Docket No. 2018-1522

ISSUED: JULY 23, 2018

(ABR)

Danielle Dwyer appeals the determination of the Division of Agency Services (Agency Services), which found that she did not meet the experience requirement for the open competitive examination for Advocate, Victim-Witness Program (C0521V), Burlington County.

The examination was open to applicants who, as of the July 6, 2017 closing date, possessed a Bachelor's degree and one year of experience providing advice and referral services to individuals or groups coping with social, emotional, psychological or other problems. A total of 54 applicants applied for the subject examination, which resulted in an eligible list of nine eligibles, which promulgated on January 4, 2018 and expires on January 3, 2021. A certification from the eligible list (OL180032) was issued on January 8, 2018, resulting in the appointment of one eligible to the subject title. Six eligibles presently remain active on the subject eligible list.

On her application, the appellant indicated that she possessed a Bachelor's degree in Criminal Justice & Psychology from Rutgers University. With regard to her experience, she indicated, in relevant part, that she served provisionally as an Advocate, Victim-Witness Program from March 2017 to the closing date of the subject examination (July 2017) with the Burlington County Prosecutor's Office; as a Public Records Researcher with Vertical Screen, Inc. from January 2016 to March 2017; as a Supervised Release Intern with the United States Probation Office from September 2015 to December 2015; and as an Investigation Intern with Kevin Murphy, LLC from June 2015 to August 2015. It is noted that the appellant stated

on her application that her experience as a Supervised Release Intern was part of her college curriculum.

Agency Services credited the appellant with five months of applicable experience for the subject examination based upon her service as a provisional Advocate, Victim-Witness Program. However, it did not credit any of her remaining experience, as there was no indication that she performed applicable duties in those positions. Therefore, she was deemed ineligible for the subject examination because she lacked an additional seven months of applicable experience.

On appeal, the appellant argues, in relevant part, that the entirety of her experience constitutes applicable experience for the subject examination and she describes her experience and education in detail. She maintains that her degree program and prior experience gave her exposure to the databases she would have to rely upon in the subject title and other applicable knowledge. She states that as a Public Records Researcher, she was responsible for gathering criminal history data for pre-employment screening and public records correspondence. She submits that as a Supervised Release Intern, her primary duties included completing collateral requests, which required her to use the Promis/Gavel database system to collect basic arrest information about defendants, and communicating with police departments regarding arrest report requests. She notes that she was “not the primary person giving referrals and advice” to the individuals she came into contact with, but submits that she “learn[ed] about the advice and referrals given to those coping with social, emotional and psychological programs.” She states that as an Investigation Intern, she performed research for a private investigator who worked for defense attorneys. She also submits letters of support from the appointing authority and Amy E. Congdon, County Victim-Witness Coordinator with the Burlington County Prosecutor’s Office.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 provides that applicants must meet all requirements specified in an open competitive examination announcement by the closing date.

Agency Services correctly credited the appellant with five months of applicable experience for the subject examination based upon her service as a provisional Advocate, Victim-Witness Program. On appeal, the appellant argues that her experience as a Public Records Researcher, as a Supervised Release Intern and as an Investigation Intern, and the research she performed as a student at Rutgers University should also be deemed applicable experience, as that work demonstrates that she possesses the required knowledge, skills and abilities for the subject title. At the outset, the appellant’s experience as a Supervised Release Intern while attending college is inapplicable, as any internship performed as part of a college curriculum is considered education or training and not work experience.

See In the Matter of Marsha Martin (MSB, decided February 9, 2005). Similarly, any relevant knowledge the appellant may have acquired through research she conducted as an undergraduate student is considered part of her education rather than work experience. With regard to the appellant's remaining experience, it is noted that 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 announcement for the subject examination required experience providing advice and referral services to individuals or groups coping with social, emotional, psychological or other problems. A review of the record fails to demonstrate that any of the appellant's remaining experience constituted applicable experience for the subject examination. Although the appellant's description of her experience as a Public Records Researcher and as an Investigation Intern demonstrates that she may have developed certain skills related to the work she has performed as a provisional Advocate, Victim-Witness Program, it cannot be said that the primary focus of any of those positions was providing advice and referral services to individuals or groups coping with social, emotional, psychological or other problems. Rather, it is clear that the primary focus of those positions was database research. Accordingly, the appellant has not met her burden of proof and there is no basis to disturb the decision of Agency Services.

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 18TH DAY OF JULY, 2018



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