



STATE OF NEW JERSEY

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

In the Matter of Lyn Mateos,
Supervisor of Clinic Nurses
(C0973W), Hudson County

Examination Appeal

CSC Docket No. 2019-2233

ISSUED: MAY 14, 2019 (SLK)

Lyn Mateos appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the open competitive examination for Supervisor of Clinic Nurses (C0973W), Hudson County.

The examination at issue was announced with specific requirements that had to be met as of the September 4, 2018 closing date. The license requirements were registration as a professional nurse in the State of New Jersey. The experience requirements were three years experience as a nurse, one year of which shall have been in a supervisory capacity. The appellant was the only individual that applied, and she was determined ineligible. Consequently, the examination was cancelled due to a lack of qualified applicants.

On her application, the appellant indicated that she was a registered nurse. Additionally, she indicated that she was provisionally serving in the subject title from January 2018 to the September 4, 2018 closing date. Agency Services credited her for being a registered nurse and having eight months of general and supervisory nursing experience based on her provisional service in the subject title, but determined that she lacked two years and four months of general nursing experience and four months of supervisory nursing experience.

On appeal, the appellant describes duties that she performs while provisionally serving in the subject title. Additionally, she indicates that she was

an Assistant Supervisor of Clinic Nurses from 2001 to 2017¹ and she describes her duties in this title. Specifically, the appellant oversaw nursing staff, field control representatives, and clerical staff. Further, she coordinated nursing staff assignments to assist physicians with medical examinations, administered medications and noted reactions to medications. Also, the appellant oversaw and reviewed case management duties assigned to nurses and social workers and ensured that patient care complied with regulations. Moreover, she managed outside vendors providing on-site services.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination as she did not list her Graduate Nurse experience on her application. On appeal, the appellant demonstrated that she possessed the required general nursing experience by the September 4, 2018 closing date. Additionally, she gained the required supervisory nursing experience after the closing date while provisionally serving in the subject title. However, the importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Agency Services can make the initial determination whether to admit or reject an applicant. Agency Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner.

Although *N.J.A.C.* 4A:4-2.1(f) proscribes the amendment of an application after the closing date set in the announcement, the Civil Service Commission (Commission) notes circumstances present that provide good cause to permit the appellant to amend her application in this particular matter. Specifically, the examination was cancelled due to a lack of qualified candidates. Additionally, the appellant continues to serve provisionally in the subject title. Further, the Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communications Workers of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998). In this regard, the Commission finds that the appellant has demonstrated that she has the

¹ Personnel records indicate that she was a Graduate Nurse from April 2001 to January 2018.

required general nursing experience by the closing date and gained the required supervisory nursing experience after the closing date, which, based on the circumstances presented, warrants her admission to the subject examination. Accordingly, good cause is established to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and *N.J.A.C.* 4A:4-2.1(f) and admit the appellant.

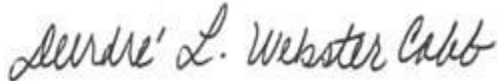
The Commission cautions the appellant that, in the future, she should ensure that any applications are fully and completely filled out as his failure to do so will be cause for rejection from the selection process. Finally, this determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, and the appellant'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 9th DAY OF MAY, 2019



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: Lyn Mateos
Elinor Gibney
Kelly Glenn
Records Center