

## STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Judith Buday, Social Worker Aging (C0059A), Hunterdon County

CSC Docket No. 2020-66

**Examination Appeal** 

**ISSUED:** August 16, 2019 (RE)

Judith Buday appeals the determination of the Division of Agency Services which found that she did not meet the minimum requirements in experience for the open-competitive examination for Social Worker Aging (C0059A), Hunterdon County.

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The subject examination had a closing date of January 7, 2019 and was open to residents of Hunterdon County who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and one year of experience in an agency operating programs relating to elderly people in the fields of social work, public health, social welfare, sociology, gerontology, psychology, counseling, community organization work, or a related field. A Master's degree from an accredited college or university in the fields of social work, public health, social welfare, sociology, gerontology, psychology, counseling, community organization work, or a related field could be substituted for one year of required experience. Applicants who do not meet the above educational requirement could substitute additional work experience on the basis of one year of experience being equal to thirty semester hour credits. The appellant was found to be ineligible based on a lack of experience. As there were no admitted applicants, the examination was canceled on July 11, 2019.

The appellant indicated possession of a Bachelor's degree and she listed five positions on her application and resume: provisional Social Worker Aging, Translator/Interpreter (part-time, 25 hours per week), Family Specialist, and Transition Coordinator (part-time, 25 hours per week), and Founder\Chief of

Marketing and Sales of Hunterdon Hispanos (no months given, no hours given). She was credited with six months of experience in her provisional position and was found to be lacking six months of applicable experience.

On appeal, the appellant states that she worked with seniors from 2012 to 2015 while in her position as Family Specialist, and she provides additional duties for that position. She also adds that she assistant seniors in her position as Translation Coordinator.

## **CONCLUSION**

*N.J.A.C.* 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, the appellant was correctly found ineligible for the subject examination. She was credited with six months of experience in her provisional position. Her remaining positions did not have the announced experience requirement as the primary focus. However, the examination was cancelled, the appellant continues to serve provisionally in the title under test, and she has accrued at least an additional six months of experience since the January 2019 closing date. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and *N.J.A.C.* 4A:4-2.3(b) to accept the appellant's additional provisional experience beyond the closing date and admit her to the examination.

## **ORDER**

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

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  $14^{\rm th}$  DAY OF AUGUST, 2019

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