

In the Matter of Marry Aunedi, Driver Improvement Analyst 2 (PS9701T), Motor Vehicle Commission

CSC Docket No. 2020-1343

STATE OF NEW JERSEY FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED: January 16, 2020 (RE)

Marry Aunedi appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Driver Improvement Analyst 2 (PS9701T), Motor Vehicle Commission.

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The subject promotional examination had a closing date of May 21, 2019, and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Driver Improvement Analyst 1 OR to employees who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree AND two years of experience in reviewing, analyzing, and evaluating material dealing with the application of rehabilitative programs, laws, regulations, policies, and procedures affecting probationary and problem drivers. Applicants who did not possess the required education could substitute additional experience as indicated on a year for year basis with 30 semester hour credits being equal to one year of experience. The appellant was found to be below the minimum requirements in experience per the substitution clause for education. There were three candidates on the eligible list, which has been certified twice, but no appointments have yet been made.

On her application, the appellant indicated that she possessed no college credits, and therefore, she needed six years of applicable experience. She listed three positions on her application and resume: Record Technician 2; Record

Technician 3; and Support Services Representative 3. As none of this experience was accepted, she was found to be lacking six years of qualifying experience.

On appeal, the appellant argues that her experience as a Record Technician 3 and 2 provides over eleven years of applicable experience. She states that she has trained Record Technicians, and has extensive knowledge of the job, the policy, and driving statutes. She provides duties that she has performed in the Record Technician title series, and states that she is qualified for the position.

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.

Titles are categorized as either professional, para-professional or nonprofessional. N.J.A.C. 4A:4-2.5(a)1 states that professional titles require a Bachelor's or higher-level degree, with or without a clause to substitute experience for education. Thus, since the title under test title requires a Bachelor's degree with a substitution clause, which permits additional experience in lieu of the completed degree, as well as two years of relevant experience, it is considered a professional title. Conversely, N.J.A.C. 4A:4-2.5(a)3 states that non-professional titles require less than 60 general college credits or less than 12 specific college credits. As such, the Record Technician title series is considered non-professional since none of the titles require completion of any college credits. The Driver Improvement Analyst title is considered a professional title because it requires a Bachelor's degree with a substitution clause for education. When a promotion would be between the above noted categories, N.J.A.C. 4A:4-2.5(c)2 permits the examination to be open to applicants who are permanent in an approved bridge title(s) and/or applicants who meet the complete open competitive requirements. A bridge title is one that is recognized by this agency as related to a higher category title in terms of work performed and knowledge, skills, and abilities required. In the present matter, there is no bridge title to the subject title. Thus, the appellant is required to meet the open competitive requirements.

Next, professional work is basically interpretive, evaluative, analytical and/or creative requiring knowledge or expertise in a specialized field of knowledge. This is generally acquired by a course of intellectual or technical instruction, study and/or research. See In the Matter of Lewis Gordon (Commissioner of Personnel, decided September 27, 1997) (Youth Worker title series not considered to be at a level and scope consistent with professional experience). Based on the above standards, experience gained in the Record Technician title series is not accepted, as these are non-professional titles. Professional work requires the application of professional knowledge and abilities, as distinguished from either the desirability of such application or the simple possession of professional knowledge and abilities.

Thus, experience associated with a professional title can only be gained in a professional level title (a title requiring a Bachelor's degree or substituted experience), or after completion of a Bachelor's degree. The appellant's nonprofessional experience is inapplicable, and she lacks six years of qualifying experience as of the closing date.

An independent review of all material presented indicates that the decision of 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 15th DAY OF JANUARY, 2020

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