



STATE OF NEW JERSEY

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

In the Matter of Katherine Dieterle,
Human Services Specialist 1
(PC1502A), Sussex County

Examination Appeal

CSC Docket No. 2020-1485

ISSUED: January 16, 2020 (RE)

Katherine Dieterle appeals the determination of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Human Services Specialist 1 (PC1502A), Sussex County.

The subject examination announcement was issued with a closing date of October 21, 2019, and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the titles Human Services Aide and who met the announced requirements, OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the announced requirements. Those requirements included sixty semester hour credits from an accredited college or university. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis, with thirty semester hour credits being equal to one year of experience. The substitutable experience involved any combination of the following: securing/verifying information and making determinations or recommendations relating to eligibility or qualifications of applicants for loans, insurance, credit, employability, and/or job training services, or entitlement to cash awards, financial benefits, or adjustment and settlement of insurance claims; investigations involving the collection of facts and information by observing conditions, examining records, interviewing individuals, and preparing investigative reports of findings; or investigating, establishing and/or enforcing support obligations in a welfare board or agency, court system, or related agency. There were two candidates on the

eligible list, which has been certified once, but no appointments have yet been made.

On her application and resume, the appellant indicated that she possessed no college credits. As such she was required to possess two years of applicable experience per the substitution clause for education. The appellant listed the following positions on her application and resume: Human Services Aide, Senior Legal Assistant (no hours given), Office Assistant/Loan Processor (no hours given) with Globe Mortgage America LLC, Receptionist/Sales Assistant (no hours given, no duties given) with GMAC Mortgage, Office Assistant/Loan Processor (no hours given, no duties given) with NovaStar Home Mortgage, Inc., and Technical Data Entry/Research Analyst (no hours given, no duties given) with Compliance Innovations, Inc. None of her experience was accepted and she was found to be lacking two years of substitutable experience.

On appeal, the appellant argues that she accrued applicable experience as a Mortgage Processor, a title not provided on her application or resume. She states that in that position she secured private information and got it to the people who made the final decisions. She states that when she worked for the law firm, she handled and redacted sensitive information. She states that she was a supervisor for a nursing home kitchen. In her current position, she “pre-interviews” clients to determine their needs and who they need to see, resolves complaints, investigates facts and passes them to the next person, makes recommendations, observes clients, examines documents to ensure their necessity and to properly pass them on. The appellant provides a second resume with revised duties for her Office Assistant/Loan Processor position with Globe Mortgage America LLC.

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:4-2.1(f) provides that an application may be amended prior to the announced closing date.

The appellant was correctly denied admittance to the subject examination since she lacked the required amount of experience per the substitution clause for education. Specifically, the appellant’s experience did not have the substitutable experience requirement as the primary focus. Qualifying experience has the announced experience requirement as the primary focus of the position. That is, the announced experience should be the main duty of the listed position. The substitutable experience involved para-professional work wherein the applicant is securing/verifying information **AND** making determinations or recommendations. It is not clerical or non-professional work. Duties that have securing and verifying information without subsequently making determinations or recommendations

based on that information are not applicable. Duties that involved keeping information secure and confidential have no bearing on eligibility. The appellant is not responsible for making determinations or recommendations as a Human Services Aide. If she does so, it is an ancillary task and not the primary focus of the position. Also, the appellant's prior positions do not have the substitutable experience as the primary focus. Rather, each position was clerical or non-professional, including the position as Office Assistant/Loan Processor with Globe Mortgage America LLC. In any event, that position could not be quantified as the appellant did not provide information as to full- or part-time service and hours worked per week. If it was full-time, it was eight months of service, which would still fall one year, four months short of the required experience.

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



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: Katherine Dieterle
Kelly Glenn
Records Center