



STATE OF NEW JERSEY

In the Matter of Sophia Proctor,  
Principal Community Program  
Specialist (S2050W), Statewide

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

Examination Appeal

CSC Docket No. 2019-3667

ISSUED: May 1, 2020 (EG)

Sophia Proctor appeals the determination of the Division of Agency Services (Agency Services) which found that she was below the minimum requirements in experience for the open competitive examination for Principal Community Program Specialist (S2050W), Statewide.

The subject open competitive examination was announced with pertinent requirements which had to be met as of the announced closing date of October 5, 2018. Specifically, applicants had to possess a Bachelor's degree and three years of program delivery experience in providing education, habilitative, or social services in programs for clients who are developmentally disabled. It was noted that applicants that did not possess the required education could substitute additional experience as indicated on a year-for-year basis.

A review of the appellant's application and resume indicates that she did not possess a Bachelor's degree but she did possess 24 credit hours. Additionally, it indicates that she served as a Program Support Specialist 3 with the Department of Human Services (DHS) from March 2018 through the closing date of the examination; as a Senior Community Program Specialist for DHS from June 2017 to March 2018; as a Senior Income Maintenance Technician with DHS from March 2013 to June 2017; as a Technical Assistant 3 with DHS from January 2013 to March 2013; as a Customer Service Information Specialist 2 for the Department of Children and Families from June 2012 to January 2013; as a Senior Clerk for the Department of Health and Senior Services (DH&SS) from March 2007 to June 2012; as a Clerk Typist for DH&SS from February 2005 to March 2007; and as a Legal Assistant for Lependorf & Silverstein, P.C. from April 2001 to November 2002. Agency Services credited the appellant with nine months of applicable experience for her 24 college credits and with 10 months of applicable experience for her work

as a Senior Community Program Specialist. However, it did not find any of her other work experience applicable.

On appeal, the appellant argues that she possesses enough experience to be found eligible for the subject examination as she has over 10 years of applicable experience. Additionally, she argues that just one year earlier she had applied for an examination for the title of Senior Community Program Specialist and was found eligible for that examination. In this regard, the appellant asserts that the requirements for Senior Community Program Specialist and the title under test are the same other than, one more year of experience is required for the title under test. Further, the appellant submits a copy of her application along with her resume, a copy of the present examination announcement, a copy of her transcripts and a copy of the job description for Senior Community Program Specialist.

### 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. Additionally, *N.J.A.C.* 4A:4-6.3(b) provides that an appellant has the burden of proof in examination and selection disqualification appeals.

Initially, the appellant argues that she should be found eligible for the subject examination because she was previously found eligible for another examination with substantial similar requirements as the present requirements for the title under test. In this regard, the Civil Service Commission (Commission) notes that eligibility is determined on the basis of each discrete announcement. If the appellant does not meet the requirements for the current announcement, the fact that she was admitted in error to a prior examination for the same or similar title does not provide her with an entitlement to eligibility in the instant matter. The fact that the appellant was accepted for a prior examination with the same or similar requirements does not estop the Commission from performing its function of evaluating an applicant's experience for a subsequent examination and to do otherwise might give an undeserved preference, possibly ousting a fully-qualified applicant from consideration for the position. Further, the Commission notes that no vested or other rights are accorded by an administrative error. *See Cipriano v. Department of Civil Service*, 151 *N.J. Super.* 86 (App. Div. 1977); *O'Malley v. Department of Energy*, 109 *N.J.* 309 (1987); *HIP of New Jersey v. New Jersey Department of Banking and Insurance*, 309 *N.J. Super.* 538 (App. Div. 1998). *See also, In the Matter of Mahdi Rushdan* (MSB, decided September 22, 2004).

In the instant matter, Agency Services appropriately denied the appellant's eligibility for the subject examination for lacking the required applicable experience. Specifically, it determined that the work experience listed by the appellant, other than Senior Community Program Specialist, did not indicate program delivery for the developmentally disabled as the primary focus of those positions. 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). *See also, In the Matter of Karen Conti* (CSC, decided April 19, 2017) (Commission noted that an experience requirement in an announcement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they primarily performed all those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience). Thus, although on appeal the appellant claims to have performed applicable work, the primary focus of the other positions she listed did not include experience in program delivery in providing education, habilitative, or social services in programs for clients who are developmentally disabled. Accordingly, based on the foregoing, the appellant has not met her burden of proof, and has not provided a basis to disturb the determination of Agency Services that she was ineligible for the title under test.

### ORDER

Therefore, it is ordered that the 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 29<sup>TH</sup> DAY OF APRIL , 2020

*Deirdre' L. Webster Cobb*

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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: Sophia Proctor  
Kelly Glenn  
Records Center