



STATE OF NEW JERSEY

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

In the Matter of Janice A. Taylor
and Ann Marie Wray, Human
Services Technician, (PS0640E),
Department of Military and
Veterans Affairs

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Examination Appeal

CSC Docket Nos. 2020-2162 and
2020-2071

ISSUED: May 1, 2020 (AMR)

Janice A. Taylor and Ann Marie Wray appeal their ineligibility for the promotional examination for Human Services Technician (PS0640E), Department of Military and Veterans Affairs.

By way of background, the subject examination was announced with a closing date of October 21, 2019 and was open to employees in the non-competitive division who were currently serving as a Human Services Assistant and had an aggregate of one year of continuous permanent service as of the closing date. Applicants were also required to possess one year of experience in the non-professional nursing care of children and/or adults in an institution, nursing home or hospital and must possess a valid New Jersey Nurse's Aide certification issued by the New Jersey Department of Health within four months of the date of initial employment. The Division of Agency Services (Agency Services) found that the appellants did not list any experience on their applications, nor did they submit a resume. Therefore, they were found to be lacking the one year of applicable experience. The eligible list has not promulgated at this time and no appointments have been made. However, 32 individuals have been found eligible for the examination. There are also no provisional appointees currently serving in this title in the announced unit scope.

On appeal, the appellants states that they have been employed with the Department of Military and Veterans Affairs at the New Jersey Veteran's Memorial Home at Paramus as a Human Services Assistant since April 2013. Agency records

indicate the same. The appellants also include a detailed list of the duties performed in their title of Human Services Assistant that they failed to include in their applications. Additionally, they provide a copy of a valid New Jersey Nurse's Aide certification. Taylor indicates that she has had a CNA license for over 10 years. Therefore, the appellants request that their appeals be granted. It is noted that the appellants do not provide an explanation as to why they did not properly complete their applications.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. Moreover, *N.J.A.C.* 4A:4-2.1(f) indicates that an application may only be amended prior to the announced closing date. However, *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. Additionally, *N.J.A.C.* 4A:4-6.3(b) provides, in pertinent part, that the appellant has the burden of proof in examination and selection appeals.

In the instant matter, the appellants were found ineligible for the subject examination due to submitting an incomplete application that failed to demonstrate enough evidence to determine their eligibility. Moreover, this agency provides sufficient instructions to all applicants with respect to filling out examination applications in its "Online Application System (OAS) User Guide," which includes instructions on submitting supporting documentation. Further, since the appellants did not include any experience with her application, their descriptions of work experience remains an amendment that cannot be considered after the closing date. See *N.J.A.C.* 4A:4-2.1(f).

Finally, no good cause has been demonstrated to relax *N.J.A.C.* 4A:4-2.1(f), as the appellants have not provided a reason for their failure to complete the application, they are not provisional in the title, and 32 individuals properly completed their application and were found eligible for the subject examination. 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. Accordingly, the appellants have not met their burdens of proof in this matter.

ORDER

Therefore, it is ordered that these appeals 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 29TH DAY OF APRIL , 2020



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