



In the Matter of Claire Sweeney,  
Program Development Specialist  
Community Service (PC0383A),  
Hudson County

**STATE OF NEW JERSEY**

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

CSC Docket No. 2020-963

Examination Appeal

**ISSUED: JUNE 5, 2020**

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Claire Sweeney appeals the determination of the Division of Agency Services (Agency Services) which found that she was below the minimum requirements in experience for the promotional examination for Program Development Specialist, Community Service (PC0383A), Hudson County.

The examination at issue was announced with specific requirements that had to be met as of the closing date of March 21, 2019. The requirements were graduation from an accredited college or university with a Bachelor's degree and one year of experience in the development of programs designed to solve socioeconomic needs of residents of the State and/or local communities which shall have including the responsibility for research, negotiation, and/or writing proposals for community service programs. The subject examination was cancelled on September 23, 2019 since the appellant was the only applicant.

The appellant indicated on her application that she was serving provisionally in the title under test from March 2018 to the closing date, March 2019. She also indicated that she was a Human Services Specialist 1 from November 2013 to March 2018 and a Clerk 1 from July 2012 to November 2013. The appellant indicated completion of 116 college credits. Agency Services found that based on the substitution clause for education, the appellant lacked five months of the required experience.

On appeal, the appellant highlights her experience and the college coursework she has completed. Therefore, she maintains that she is qualified for the subject examination.

*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:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purpose of Title 11A, New Jersey Statutes.

### CONCLUSION

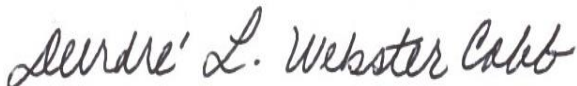
In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly found that the appellant was short five months of the required supervisory experience as of the announced closing date. However, a review of agency records indicates that the appellant continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applicants. Under these circumstances, there is good cause to relax the provisions of *N.J.A.C.* 4-2.6(a) and accept the appellant's provisional experience after the closing date and admit her to the subject examination. The appellant now has more than the required education and experience in accordance with the substitution clause for education. Accordingly, admitting the appellant to the subject examination will provide her with the opportunity to obtain permanent status as well as to provide an eligible list to the appointing authority.

### ORDER

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

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 DAY 3<sup>RD</sup> OF JUNE, 2020



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