



STATE OF NEW JERSEY

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

In the Matter of Beth Morine,
Contract Administrator 2 (PS5037K),
Department of Children and Families

Examination Appeal

CSC Docket No. 2022-436

ISSUED: NOVEMBER 1, 2021 (SLK)

Beth Morine appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Contract Administrator 2 (PS5037K), Department of Children and Families.

The subject examination had an April 21, 2021 closing date. The education requirements were a Bachelor's degree. The experience requirements were three years of experience in work involving contract/grant, project financing, construction management, fiscal administration, social services administration, and/or budget and management operations of a government or business entity, at least one year of which shall have involved responsibility for some aspect of contract/grant administration. Applicants who did not possess the required education could have substituted additional experience on a year for year basis with 30 semester hour credits being equal to one year of experience. A Master's degree in Accounting, Finance, Business Administration, Public Health, Public Administration, Hospital Administration, or Social Work (with concentrations in Health, Administration, or Social Policy) could substitute for one year of the basis experience. (There is no substitution for the one year of experience involving responsibility for some aspect of contract/grant work). A total of 14 employees applied and three have been admitted to the test. It is noted

that agency records indicate that there are currently three employees serving provisionally in the subject title, which consists of two of the admitted applicants and the appellant.¹ The test has not yet been scheduled.

On the appellant's application, she indicated that she had a Master's degree in Criminal Justice. She also indicated that she was a Program Support Specialist 2 from July 2004 to the April 21, 2021 closing date, a Family Service Specialist 2 from February 1999 to July 2004, and an Assistant Store Manager for Kmart from December 1996 to January 1998. Personnel records indicate that the appellant was a Program Support Specialist 2 from August 2004 to the April 21, 2021 closing date, a Family Service Specialist 2 from June 2001 to August 2004, a Family Service Specialist 3 from March 2000 to June 2001, and a Family Service Specialist Trainee from March 1999 to March 2000. Agency Services credited the appellant with having one year and two months of general experience and having met the specialized experience requirement based on her experience with Kmart, but determined that she lacked one year and 10 months of general experience.

On appeal, the appellant states that she has worked in fiscal operations for the appointing authority for 17 years and is confident that she can perform the subject title duties. She asserts that she has the same qualifications as a former colleague who was promoted to the subject title. The appellant highlights that she interviewed for a position in the subject title with three business offices and was advised that she would receive on-the-job training. She submits a letter of support from an office manager who recommended her for a position in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purpose of Title 11A, New Jersey Statutes. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In this matter, Agency Services correctly determined that the appellant was not eligible as while she met the education requirement² and had one year and two months of general and specialized experience based on her experience with Kmart, she lacked one year and 10 months of general experience as she was not primarily performing the required duties as a Program Support Specialist 2 or Family Services Specialist. However, a review of her application indicates that as a Program Support

¹ The appellant was provisionally appointed to the subject title after the closing date on September 25, 2021.

² The appellant's Master's degree in Criminal Justice was not in one of the required areas to substitute for the general experience requirement.

Specialist 2, she was performing certain aspects of social service administration. Additionally, it is anticipated that the list will be incomplete based on the number of applicants admitted to the test and the number of employees currently provisionally serving in the subject title. Further, personnel records indicate that the appellant was provisionally appointed to the subject title after the April 21, 2021 closing date and continues to serve. The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. *See Communications Workers of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998). Therefore, the Commission finds good cause under N.J.A.C. 4A:1-1.2(c) to relax the provisions of N.J.A.C. 4A:4-2.6(a) and accept the appellant's experience since August 2004, for eligibility purposes only, and admit her to the subject examination.

This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, 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 27TH DAY OF OCTOBER, 2021



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