

## STATE OF NEW JERSEY

In the Matter of Cheryl Banghart, Field Representative Senior Citizens Program (PC2675B), Warren County

CSC Docket No. 2021-1820

## FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

**Examination Appeal** 

ISSUED: NOVEMBER 22, 2021

Cheryl Banghart appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements, per the substitutional clause for education, for the promotional examination for Field Representative Senior Citizens Program (PC2675B), Warren County.

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The subject examination announcement was issued with a closing date of August 21, 2020, and was open 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 who met the announced requirements of possession of a Bachelor's degree, and one year of experience in work involving counseling or assisting senior citizens with matters involving their welfare. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis. One candidate appears on the eligible list, which was certified, but no appointments have yet been made.

On her application, the appellant indicated that she did not possess any college credits, and therefore was required to possess five years of qualifying experience. She listed the following positions on her application: provisional Field Representative Senior Citizens Program from the April 2020 to the August 21, 2020 closing date; Assistant to the Innkeeper at Raritan Inn at Meadow Valley (part time, 4 hours per week) from March 2006 to August 2020; Clerk 2 from August 2011 to April 2020; Clerk Transcriber from March 2005 to August 2011; Clerk Typist

with Township of Stillwater from July 2002 to February 2005; Office Manager, Administrative Secretary with Procomm Systems, Inc., from January 1998 to July 2002. She was credited with five months of applicable experience in her provisional position, and found to be lacking four years, seven months of experience per the substitution clause for education.

In the current matter, the appellant indicated that she has applicable experience in her position as a Clerk 2, where she accrued the knowledge needed for her provisional position. In support, the Division Director of the Division of Aging and Disability Services, the Supervisor Information Assistance and Outreach, and the Care Manager Supervisor confirm that the appellant has the knowledge for the position.

## 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.

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. As of the announced closing date, the appellant was correctly credited with five months of experience based on her provisional service in the title under test and found that she needed an additional four years and seven months of experience to qualify for the subject examination. It is noted that Agency Services found that some aspects of her experience as a Clerk 2 and Clerk Transcriber met the requirements for the subject examination, but that the primary focus of her service in these titles was clerical work. Although the appellant's experience does not precisely mirror the requirements contained in the announcement, the Civil Service Commission (Commission) is satisfied that the totality of her varied levels of experience in work assisting senior citizens involving matters of their welfare, such as providing information and assistance regarding Medicare, Medicaid, food Stamps and Heating and Cooling assistance as far back as August 2011, warrants her admission to the subject examination. Additionally, the appellant continues to serve provisionally in the title under test and the examination situation is not competitive, as only one applicant was deemed eligible. Moreover, the Care Manager and Supervisor of Information Assistance and Outreach of the Warren County's Division of Agency and Disability Services confirm that the appellant has extensive knowledge of the services and programs provided to clients based on her 15 years of prior experience service client needs. Under these circumstances, good cause exists to relax the provisions of N.J.A.C. 4A:4-2.6(a) to accept the totality of the appellant's experience, as well as her provisional experience gained after the closing date, and admit her to the subject examination.

## **ORDER**

Therefore, it is ordered that this 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  $17^{\text{TH}}$  DAY OF NOVEMBER 2021

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