



**STATE OF NEW JERSEY**

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

In the Matter of Shannon Mann,  
Microbiologist 1 (PS3949A),  
Department of Agriculture

Examination Appeal

CSC Docket No. 2021-1980

**ISSUED: AUGUST 6, 2021 (SLK)**

Shannon Mann appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the education requirements for the promotional examination for Microbiologist 1 (PS3949A), Department of Agriculture.<sup>1</sup>

The subject examination’s closing date was October 21, 2020. The education requirements are a Bachelor’s degree in biological science including or supplemented by 12 semester hour credits in specific microbiological courses in the study of microorganisms, which included bacteriology, virology, parasitology, and/or mycology. The experience requirements are one year of experience in a public health or clinical laboratory conducting diagnostic microbiological tests, examinations, and/or research. A Master’s degree in microbiology could be substituted for the indicated experience. The appellant was the only candidate and the examination was cancelled due to a lack of qualified candidates.

On her application, the appellant indicated that she had a Master’s degree in public health and a Bachelor’s degree in biology. She also indicated that she was provisionally serving in the subject title from February 2020 to the October 21, 2020 closing date, a Senior Laboratory Technician from March 2018 to January 2020, a Laboratory Technician from October 2016 to February 2018, and a Laboratory

<sup>1</sup> The position is in the Division of Animal Health.

Service Worker from August 2004 to September 2016.<sup>2</sup> The Division of Agency Services (Agency Services) credited the appellant for having a Bachelor's degree in biology and the required experience, but determined that she lacked 12 credits in microbiological courses.

On appeal, the appellant asserts that her 16 credits in physiology, cell biology, biochemistry, and genetics meet the education requirements. She explains how she uses her education in these classes to perform the required duties in the subject title. Additionally, she submits a letter of support from the Microbiology Section Head of the Animal Health Diagnostic Laboratory who agrees that she has 16 credits in microbiology and describes how she successfully performs the duties of a microbiologist. Further, the appellant attaches a letter from the Laboratory Director/Assistant Director Division of Animal Health who indicates that he is certified in the specialty field of Veterinary Microbiology by the American College of Veterinary Microbiologists, and concurs that the appellant meets the education requirements and asserts that one cannot become a microbiologist without the courses the appellant presents. He also states that the appellant is an expert in certain areas of microbiology and is critical to the Division of Animal Health's mission.

## CONCLUSION

*N.J.A.C. 4A:4-2.1(g)* provides that the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted.

Initially, Agency Services was correct in not accepting the appellant's credits to satisfy the microbiological component of the examination requirements as those courses were not specifically identified as microbiology courses. On appeal, the appellant presents the specific courses that she completed that she contends are in microbiology. Further, she submits letters of support from the Microbiologist Section Head in the Animal Health Diagnostic Laboratory and the Laboratory Director/Assistant Director Division of Animal Health who is certified in Veterinary Microbiology who confirm that these courses would be considered microbiology courses. Under these circumstances, Commission finds that the appellant has demonstrated that she possesses the required microbiology credits. This decision is based on the specific facts and circumstances present and should not be used as precedent for any future matter.

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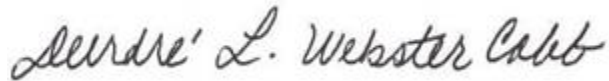
<sup>2</sup> Personnel records indicate that the appellant was a Laboratory Service Worker 2 from April 2014 to October 2016, a Laboratory Service Worker from August 2006 to April 2014, and a Laboratory Technician from November 2004 to August 2006.

**ORDER**

Therefore, it is ordered that the appeal be granted, the cancellation of the examination 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 4<sup>TH</sup> DAY OF AUGUST, 2021



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