

STATE OF NEW JERSEY

In the Matter of Joseph Sullivan,
Director, Office of the Handicapped
(C0434C), Ocean County

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

CSC Docket No. 2022-1196

Examination Appeal

ISSUED: FEBRUARY 18, 2022 (JET)

Joseph Sullivan appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the open competitive examination for Director, Office of the Handicapped (C0434C), Ocean County.

The examination at issue was announced with specific requirements which had to be met as of the September 21, 2021 closing date. The requirements were graduation from an accredited college or university with a Bachelor's degree, and three years of experience in providing social, health, vocational, training, educational, recreational, housing, transportation, and/or other services to handicapped or disabled persons. It was noted that applicants who did not meet the educational requirement could have substituted additional work experience as described on a year-for-year basis, with 30 semester hour credits being equal to one year of experience. It was also noted that possession of a Master's Degree in the social or behavioral sciences from an accredited college or university could have been substituted for one year of the required experience. A total of nine applicants applied for the subject examination which resulted in a list of five eligibles with an expiration date of November 3, 2024. One certification was issued, and no appointments have been made.

A review of the appellant's application reveals that he does not possess a Bachelor's degree. As such, he required seven years of applicable experience per the substitution clause as outlined above. Additionally, the appellant listed that he served, one hour per week, as a Member of the Manufactured Housing Consensus Committee, U.S. Department of HUD from October 2020 to the closing date, and he described his duties as advocating for manufactured housing residents and helping

shape regulations that affect manufactured housing residents, and advocating for the disabled. The appellant also listed that he served as an Executive Director at the Manufactured Homeowners Association (MHOA) of New Jersey from June 2017 to September 2021, and he described his duties as working with residents in manufactured housing, especially the disabled and elderly, to better their lives and help them with services, overseeing an initiative to acquire a \$40,000 Catholic Campaign for Human Development grant, leading an effort to revitalize the MHOA website, working with various organizations to obtain additional grants, advocating before the State Housing Committee, overseeing outreach efforts and providing guidance to teams in various communities, drafting a yearly budget that was approved by the MHOA Executive Board, and ensuring that State and federal documents were properly filed for charity purposes. Agency Services credited the appellant with four years and four months of experience for his service as an Executive Director. However, it did not credit him with any other experience. Accordingly, Agency Services determined that the appellant was not eligible as he lacked two years and eight months of experience.

On appeal, the appellant argues that he is eligible for the examination and should be admitted based on his education and experience, and he provides further explanation of his experience on appeal.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the announcement by the closing date.

Agency Services correctly determined that the appellant was ineligible for the subject examination. Initially, the appellant required seven years of experience as he does not possess a Bachelor's degree. Since the appellant did not list on the application that he possesses seven years of applicable experience, he could not have been found eligible for the examination. Further, Agency Services correctly found that the appellant's experience as a Member of the Manufactured Housing Consensus Committee was not applicable. The *primary focus* of the appellant's duties as a Member of the Manufactured Housing Consensus Committee did not include full-time duties in providing social, health, vocational, training, educational, recreational, housing, transportation, and/or other services to handicapped or disabled persons. In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). Rather, the primary duties performed by the appellant, as indicated on his application, resume and on appeal for that title included advocating for manufactured housing residents and helping shape regulations that affect manufactured housing residents, and advocating for the disabled. As such, the appellant's experience is not applicable to satisfy the duties required to establish

eligibility for the title under test. Even if his experience in the position was applicable, he would only receive, at most, two weeks of credit as he only worked in that position one hour per week, still leaving him two years and seven months from meeting the eligibility requirements by the closing date.¹

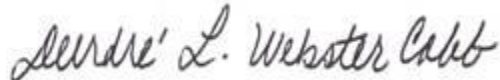
A thorough review of all material presented indicates that Agency Services' determination that the appellant did not meet the eligibility requirements by the closing date is amply supported by the record. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal 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 16TH DAY OF FEBRUARY, 2022



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

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Division of Agency Services
Records Center

¹ As that experience overlaps his experience as an Executive Director, for which he received full credit, even if the experience were applicable, he would only receive the two weeks credit if he established that the one hour per week was in addition to his full-time Executive Director duties.