



**STATE OF NEW JERSEY**

In the Matter of Erica Lake,  
Supervisor, Food Service Area  
Operations (PS2973H),  
Department of Health

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

Examination Appeal

CSC Docket No. 2022-1595

**ISSUED: MARCH 25, 2022 (JET)**

Erica Lake appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirement for the promotional examination for Supervisor, Food Service Area Operations (PS2973H), Department of Health.

The subject examination was open to employees in the titles of Senior Food Service Handler or Senior Food Service Worker and who possessed two years of experience in general kitchen work including preparation of light meals as of the August 23, 2021 closing date. Eight individuals were admitted to the examination and certification PS220055 was issued, and three individuals were appointed effective January 27, 2022, and the remaining five eligibles were removed from the certification.

A review of the appellant’s application and resume reveals that she served provisionally in the subject title from November 2019 to the August 23, 2021, closing date, as a City Carrier Assistant from September 2017 to October 2018, as part-time waitstaff from January 2013 to June 2015, and as a Senior Public Safety Telecommunicator from January 2006 to July 2017. Agency Services credited the appellant with one year and 10 months of applicable experience for her provisional service in the subject title. However, it did not find any of her other experience applicable. Accordingly, Agency Services determined that the appellant was

ineligible for the subject examination as she lacked two months of applicable general experience.

On appeal, the appellant maintains that she is eligible for the examination, and her previous experience as waitstaff included preparing salads, soups, sandwiches, pasta dishes, desserts, serving food and beverages, and maintaining a clean environment.

Official personnel records indicate that the appellant continues to serve provisionally in the subject title.

### CONCLUSION

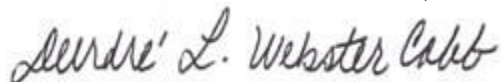
*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular situation. Initially, it is noted that Agency Services correctly credited the appellant with one year and 10 months of applicable experience for her provisional service in the subject title. Although the appellant's experience as part-time waitstaff included some applicable duties, the primary focus was not in food preparation. However, the Civil Service Commission notes that the appellant continues to serve provisionally in the title under test and has accrued an additional seven months of applicable experience. Further, the list is currently exhausted as no eligibles remain on the list. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the appellant's experience gained after the closing date, for eligibility purposes only, and admit her to the 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 23<sup>RD</sup> DAY OF MARCH, 2022



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