



**STATE OF NEW JERSEY**

In the Matter of Bennie Wadley, Jr.,  
Investigator, Secured Facilities  
(PC4396C), Essex County

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

CSC Docket No. 2022-1465

Examination Appeal

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

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Bennie Wadley, Jr. appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Investigator, Secured Facilities (PC4396C), Essex County.

The promotional examination was announced with specific requirements which had to be satisfied by the August 23, 2021 closing date. Specifically, the announcement required candidates to possess a Bachelor's degree from an accredited college or university, and one year of experience in the custodial field which shall have included investigations of violations of rules, regulations, standards and laws by adult inmates, juveniles and/or employees working with a secured facility. It was noted that applicants who did not possess the required education could have substituted, in addition to the required experience as noted above, applicable experience on a year for year basis, with 30 semester hour credits being equal to one year of experience. As such, applicants who did not possess a Bachelor's degree required five years of applicable experience. Of the 35 who applied for the subject examination, five were found eligible. The list has not yet promulgated.

On his application, the appellant indicated that he served as an Investigator from November 2020 to the August 2021 closing date. His application also listed his service from December 2007 through June 2012 as under the Internal Affairs unit. Official personnel records indicate that the appellant served as a County Correctional Police Officer from August 1998 to the August 2021 closing date.

Agency Services did not credit the appellant with any applicable experience based on the minimal description of his duties. Accordingly, Agency Services determined that the appellant lacked five years of applicable experience.

On appeal, the appellant maintains that he meets the experience requirement for the subject examination, and he states that he served as an Internal Affairs Investigator with the Essex County Department of Corrections from December 2007 through June 2012 and from November 2020 through the August 2021 closing date, and he listed on the employment application that he served in the Internal Affairs unit where he performed investigations from December 2007 to July 2012. The appellant adds that he was appointed as a provisional Investigator, Secured Facilities effective January 20, 2022. In support, the appellant also submits a resume.

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)2 provides that applicants shall meet all requirements specified in the promotional announcement by the closing date.

Under *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. However, *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. 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. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004).

In the present matter, since he does not possess a Bachelor's degree, the appellant was required to possess five years of applicable experience pursuant to the substitution clause. Initially, it is noted that Agency Services could not credit the appellant with any applicable experience based on the incomplete information he provided on the application. However, on appeal he clarifies that based on his primary duties from December 2007 to June 2012 and November 2020 to August 2021, he possesses more than five years of experience in investigations of violations of rules, regulations, standards and laws by adult inmates, juveniles and/or employees working with a secured facility.

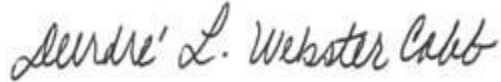
Accordingly, the appellant's clarifying experience is accepted, for eligibility purposes only, and he should be admitted to the subject examination.

**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 23<sup>RD</sup> DAY OF MARCH, 2022



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