



STATE OF NEW JERSEY

In the Matter of Sandra Klimeczak
and Anthony Rodriguez, Program
Specialist 2, Social/Human Services
(PS6261K), New Lisbon
Developmental Center

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

Examination Appeals

CSC Docket Nos. 2022-2998 and
2022-3000

ISSUED: AUGUST 3, 2022 (SLK)

Sandra Klimeczak and Anthony Rodriguez appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Program Specialist 2, Social/Human Services (PS6261K), New Lisbon Developmental Center. These appeals have been consolidated due to common issues presented.

The subject examination’s closing date was September 21, 2021. The education requirement was a Bachelor’s degree. The experience requirements were two years of experience in planning, monitoring, coordinating, implementing, modifying and/or evaluating a social or human services program. Applicants who did not possess a Bachelor’s degree could have substituted additional experience as indicated on a year-for-year basis with 30 semester credits being equal to one year of experience. A Master’s degree in a Social/Human services specialist area, Public or Business Administration, Child Advocacy and Policy, or Child Advocacy and Policy with a concentration in Public Child Welfare could have been substituted for one year of experience. A total of 15 employees applied and one was deemed ineligible. No certifications have been issued. The list expires on February 16, 2025.

On Klimeczak’s application, she indicated that she possessed a high school diploma. She also indicated that she was provisionally serving in the subject title from May 2021 to the closing date, a Senior Therapy Program Assistant from May 2001 to May 2021, a Cottage Training Technician from June 1997 to May 2001, a Human Services Assistant from October 1993 to June 1997, and a Residential

Services Worker from September 1990 to October 1993. Personnel records indicate that she was provisionally serving in the subject title from May 2021 to the closing date, a Senior Therapy Program Assistant from May 2001 to May 2021, a Cottage Training Technician from January 1999 to May 2001, a Human Services Assistant from July 1998 to January 1999, a Cottage Training Technician from August 1997 to January 1999, a Human Services Assistant from October 1993 to August 1997, and a Residential Services Worker from September 1990 to October 1993. Agency Services credited her with five months of experience based on her provisional service in the subject title, but determined, per the substitution clause for education, that she lacked five years and seven months of experience.

On Rodriguez's application, he indicated that he possessed 32 college credits. He also indicated that he was provisionally serving in the subject title from May 2021 to the closing date, a Head Cottage Training Supervisor from October 2018 to May 2021, a Cottage Training Supervisor from May 2004 to October 2018, and a Cottage Training Technician from February 1996 to May 2004. Personnel records indicate that he was provisionally serving in the subject title from May 2021 to the closing date, a Head Cottage Training Supervisor from August 2017 to May 2021, a Cottage Training Supervisor from March 2005 to August 2017, a Cottage Training Technician from June 2001 to March 2005, a Human Services Assistant from September 1999 to June 2001, and a Residential Services Worker from July 1996 to September 1999. Agency Services credited him with one year of experience based on his college credits, but determined, per the substitution clause for education, that he lacked five years of experience.¹

On appeal, Klimeczak presents that she has been employed by the appointing authority since 1990. She asserts that her over 20 years of experience as a Senior Therapy Program Assistant provides her the required experience. Klimeczak states that while serving in this title, it was her responsibility to implement a variety of programs for adults with developmental disabilities. She attaches the job specifications for the subject title and Senior Therapy Program Assistant, her Performance Assessment Reviews (PARs), and resume, and highlights parts of these documents, which she believes demonstrate that she performed the required duties.

Rodriguez indicates that he has been employed by the appointing authority since 1996. He attaches the job specifications for the various titles that he held, his college transcript, and his resume to demonstrate the he has the required experience. Rodriguez highlights that he was provisionally promoted to the subject title in May

¹ Rodriguez indicated on his application that he was provisionally serving in the subject title from February 1996 to the closing date, without separating his duties by different titles and dates in those titles. He also attached a resume where he indicated different titles and dates serving in these titles, but he did not indicate that he was provisionally serving in the subject title. Therefore, as he did not clearly separate his time and duties while provisionally serving in the subject title, Agency Services was unable to credit him for his provisional service in the subject title.

2021. He argues that he is qualified to serve in the subject title based on his college credits and his 25 years of experience.

CONCLUSION

N.J.A.C. 4A:4-2.5(a) provides that a professional title requires a Bachelor's or higher level degree, with or without a clause to substitute experience for education. *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:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

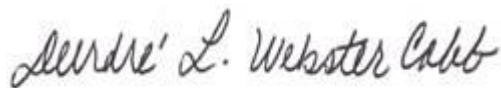
In this matter, a review of the appellants' applications and appeals indicates that Agency Services correctly determined that they were not eligible for the subject examination. Specifically, other than Klimeczak's and Rodriguez's provisional service in the subject, which was significantly less than the required time per the substitution clause, the appellants' service was in non-professional level titles. Further, in these non-professional titles, while they may have had some involvement in planning and implementing programs, this experience was not at the level and scope record for the subject examination. Instead, they primarily were involved in the direct care of residents and/or were supervisors of those involved in the direct care of residents and not performing professional level planning, administering, and analyzing of programs. 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).

ORDER

Therefore, it is ordered that these appeals 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 3RD DAY OF AUGUST 2022



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