



STATE OF NEW JERSEY

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

In the Matter of Joseph Ekenta,
Quality Assurance Specialist, Health
Services (PS6222H), Department of
Health

Examination Appeal

CSC Docket No. 2022-1693

ISSUED: August 24, 2022 (BS)

Joseph Ekenta appeals the determination of the Division of Agency Services (Agency Services) which found that he did not meet the requirements for the promotional examination for Quality Assurance Specialist, Health Services (PS6222H), Department of Health.

The examination at issue was announced with experience requirements which had to be met as of the announced September 21, 2021 closing date. Specifically, all applicants were required to possess either [A] a license as a Registered Nurse in the State of New Jersey plus four years of experience as a Registered Nurse, one year of which includes the monitoring and/or evaluation of clinical or human services records and programs in a mental health, geriatric, health care setting, or human services agency **OR** [B] a general Bachelor’s degree, plus three years of experience in the field of quality assurance in a mental health, geriatric, health care setting, or human services agency which includes monitoring and/or evaluation of clinical or human services records and programs, could be substituted for the above license and experience requirements. Additionally, a Master’s degree in Public Health or a health care related field could be substituted for one year of indicated experience. Records indicate that a promotional eligible list promulgated on January 6, 2022, containing the names of two qualified applicants.

The appellant filed an application on which he indicated that he possessed a completed Bachelor’s degree in Nursing Science, licensure as a Registered Nurse,

plus experience as a provisional Quality Assurance Specialist, Health Services (July 2020 to the closing date), Charge Nurse/Supervisor of Nursing (October 2017 to June 2020), and an Emergency Room Registered Nurse (September 2016 to September 2017). Agency Services concluded that, as of the closing date, the appellant satisfied the Nursing degree and licensure requirement as stipulated in [A] but lacked two months of nursing experience and, under [B] above, satisfied the general degree requirement but lacked one year and nine months of the specialized requirements. As a result, the Agency Services found the appellant ineligible for the subject promotional examination.

On appeal, the appellant argues that he satisfies the subject requirements. The appellant asserts that he possesses more than five years of experience as a Registered Nurse and almost two years of experience in quality assurance work.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that the Civil Service Commission (Commission) may relax a rule for good cause, in a particular circumstance, in order to effectuate the purposes of Title 11A of the New Jersey Statutes Annotated. *N.J.A.C.* 4A:4-6.3(b) provides that, except for medical or psychological disqualification appeals, the appellant shall have the burden of proof.

As of the closing date, the appellant possessed a Bachelor's degree in Nursing Science, is a Registered Nurse and possesses a total of five years and two months of relative experience as a provisional Quality Assurance Specialist, Health Services, Charge Nurse/Supervisor of Nurses, and Emergency Room Nurse. Additionally, in the instant matter, the Commission notes that the appellant continues to successfully serve as a provisional in the subject position, giving him an additional 11 months of relevant experience. The Commission further notes that the subject promotional eligible list is incomplete in that it only provides the names of two qualified applicants. Under these circumstances, the Commission finds it appropriate to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the totality of the appellant's relevant experience, for eligibility purposes only, which will allow him the opportunity to be tested and be considered for a prospective permanent appointment to the subject title.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's application be processed as soon as possible.

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 24TH DAY OF AUGUST, 2022



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