



STATE OF NEW JERSEY

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

In the Matter of Helen Milligan,
Technical Assistant (PS6990K),
Department of Human Services

CSC Docket No. 2022-2876

Examination Appeal

ISSUED: August 24, 2022 (RE)

Helen Milligan appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements for the promotional examination for Technical Assistant (PS6990K), Department of Human Services.

The subject examination announcement was issued with a closing date of November 22, 2021, and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any title and who met the requirements. These requirements included two years of experience in reviewing, verifying, authorizing and/or providing information and assistance of a technical or fiscal nature in a public or private organization. Applicants who did not possess the required experience could substitute semester hour credits from an accredited college or university on a year-for-year basis with thirty semester hour credits being equal to one year of experience. The appellant was found to be below the minimum requirements in experience. As there were no admitted applicants, the examination was cancelled on May 13, 2022.

The appellant listed three positions on her application, Jewelry/Cashier Associate, CSR, and Telecommunications Operator. None of these positions had duties that matched the announced experience, and she was found to be lacking two years of applicable experience. It is noted that official records indicate that she was a provisional Technical Assistant from April 2020 to the November 2021 closing date, and was a Senior Clerk from June 2001 to April 2020.

On appeal, the appellant states that she is a provisional in the subject title, and she provides employment printouts for her position as Senior Clerk. She supplies a resume with additional positions, including her provisional position, Senior Clerk position, and three other positions, two as Cashier and one as Fitting Room Assistant.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly found the appellant to be ineligible for the subject examination since, according to her application, she lacked the required experience. The online application process is automated and provides instructions to candidates on how to properly complete their applications. Also, the application states that, by clicking “yes,” the applicant certified that the employment history was complete and accurate. The On-Line Application System User’s Guide cautions applicants to carefully review the application to ensure that it is complete and accurate before submitting, and to complete the application in detail. It states that failure to complete the application properly may cause the applicant to be declared ineligible. The instructions under the experience portion of the application advise applicants to provide **all** employment information (not just current employment information), and if they have multiple positions, they need to make sure that they provide each one separately. The appellant should follow these instructions and properly complete any future applications for examinations.

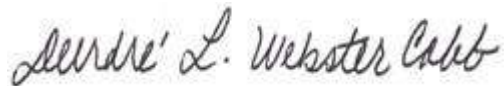
In the instant matter, while the appellant’s provisional Technical Assistant position was not listed on her application, she has indicated on appeal that the duties of that position have the announced experience requirement as the primary focus. Moreover, the examination has been cancelled, the appellant continues to serve provisionally in the title under test, and she has accrued over two years of experience since her provisional appointment in April 2020. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) to accept the appellant’s provisional experience before and beyond the closing date, for eligibility purposes only, and admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded, and the appellant’s application be processed for prospective employment opportunities.

This 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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