



STATE OF NEW JERSEY

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

In the Matter of Nicholas Del Bono,
Et al., Quality Assurance Specialist
Health Services (PS7068K),
Department of Human Services

Examination Appeal

CSC Docket Nos. 2023-58, *et al.*

ISSUED: October 12, 2022 (RE)

Nicholas Del Bono, Tara Gustavsen, Brian Jakubowski, Angela Roundtree, and Keisha Williams appeal the decisions of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Quality Assurance Specialist, Health Services (PS7068K), Department of Human Services. These appeals have been consolidated due to common issues presented by the appellants.

The subject promotional examination announcement was issued with a closing date of November 22, 2021 and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Charge Nurse and who met the open competitive requirements OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title, and who and who met the open competitive requirements. Applicants were required to be licensed in New Jersey as Registered Professional Nurses. The required experience included four years as a registered nurse, one year of which is specialized experience including 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. It was noted that graduation from an accredited college or university with a Bachelor's degree, and three years of specialized 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, which may include allegations of abuse, neglect, exploitation, or incidents of client abuse or safety and

well-being, could be substituted for the above license and experience requirements. The appellants were found to be ineligible based on a lack of experience. The appellants did not meet the licensing requirement and, therefore had to meet the substitution requirements. While possessing Bachelor's degrees, each appellant failed to meet the three year experience requirement. Sixty candidates have been admitted, but the examination has not yet been held.

Each of the appellants is a provisional in the subject title, and was credited with time in that title. Roundtree did not list any other experience, and was found to be lacking 10 months of required experience. The remaining appellants listed experience in the Family Services Specialist title series, and the title Assistant Family Services Worker. Del Bono also listed experience in the titles Child Advocate and Job Coach with Cerebral Palsy of New Jersey. Gustavsen listed experience in the titles Care Manager with Seabrook House and Care Coordinator with Family Service League. Jakubowski listed experience in the title Crisis Screener with New Point Behavioral Health. Williams listed experience in the titles Care Manager with Capitol County Children's Collaborative, Director of Case Management/Intake Specialist with Hastings Comprehensive Mental Health Treatment Facility, Transportation Assistant, and Bookkeeper. Del Bono, Gustavsen, Jakubowski, and Williams were found to be lacking one year one month; two years, three months; eleven months; and four months, respectively.

On appeal, the appellants provide duties of their positions, and argue that experience in the Family Services Specialist title series is applicable. Gustavsen and Jakubowski refer to prior granted Civil Service Commission (Commission) decisions where the examination situations would have resulted in incomplete lists.¹ Roundtree indicates that she was admitted to two prior examinations for the title, one open competitive and one promotional, and she provides a resume. It is noted that on the current application Roundtree did not attach a resume and included only her provisional position.

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:4-2.1(f) provides that an application may only be amended prior to the announced closing date. *N.J.A.C.* 4A:4-2.6(c) provides that except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

At the outset, it is noted that qualifying experience has the announced experience as the primary focus. In this case, the qualifying experience is

¹ It is noted that such is not likely the case in this matter as this examination has 60 admitted candidates.

specialized 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. Quality assurance involves performing program and/or facility evaluations of all aspects of clinical care and administrative services provided by any departmental unit or facility, and may assess and evaluate reports or incidents of client safety and neglect. This is not the same as performing the functions needed to carry out programs or goals of a health care setting or agency. The Commission has already determined that experience in the title Family Services Specialist 2 is not equivalent to the announced experience requirement. *See In the Matter of Crystal Martin and Brietta Morton* (CSC, decided January 18, 2017). A review of the job definitions for the remaining titles in the Family Services Specialist series indicates that this experience is also inapplicable. The Quality Assurance Specialist, Health Services performs evaluations of all aspects of clinical care and administrative services of programs or facilities, not limited to case management. If the appellants performed those duties while in the Family Services Specialist series, it is considered to be out-of-title work, which cannot generally be used to satisfy eligibility requirements for a promotional examination. In this regard, as the examination is competitive, with 60 admitted candidates, good cause would not be present to accept out-of-title experience.²

Roundtree was credited with all the experience she listed on her application. A significant addition of additional information would not be considered clarifying information, which may be allowed, but rather, amended information, which is not permitted after the closing date of an examination under *N.J.A.C. 4A:4-2.1(f)*. *See In the Matter of Annemarie Brahan and Dick Norris* (MSB, decided September 22, 2004) (Training experience not presented on original application was determined to be a significant addition to application and therefore amended, not clarifying, information). As additional positions are considered to be amended information, the positions listed on Roundtree's resume which was submitted on appeal cannot be accepted. The appellant is cautioned to list each position separately, with applicable duties, on future applications.

The appellants' additional positions outside of State service do not have the announced experience requirement as the primary focus. In sum, each appellant has failed to meet the examination experience requirement as of the November 2021 closing date.

An independent review of all material presented indicates that the decisions of Agency Services that the appellants did not meet the announced requirements for eligibility by the closing date are amply supported by the record. The appellants

² The Commission notes that even if the appellants' possessed out-of-title experience and there was a non-competitive situation, absent appointing authority verification of such out-of-title duties, it would not be credited.

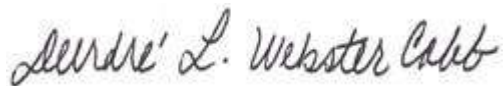
provide no basis to disturb these decisions. Thus, the appellants have failed to support their burden of proof in these matters.

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 12TH DAY OF OCTOBER, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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Tara Gustavsen (CSC Docket No. 2023-49)
Brian Jakubowski (CSC Docket No. 2023-45)
Angela Roundtree (CSC Docket No. 2022-3301)
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