

STATE OF NEW JERSEY

In the Matter of Earle Holder, Audio/Visual Specialist (M0542D), Plainfield

CSC Docket No. 2023-261

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED: October 12, 2022 (RE)

Earle Holder appeals the decision of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Audio/Visual Specialist (M0542D), Plainfield.

:

The subject examination announcement was issued with a closing date of May 23, 2022. The examination was open to residents of Plainfield who met the announced requirements. These requirements included graduation from an accredited college or university with an Associate's degree with a major course of study in telecommunications, communication arts or a related field, and one year of experience in the production of audio visual presentations which shall have included the operation of a variety of audio visual equipment such as television and motion picture cameras, video tape recorders and sound equipment. Applicants who do not possess the required Associate's degree could substitute additional experience as indicated on a year for year basis with 30 semester hour credits being equal to one year of experience. The appellant was determined to be ineligible for below minimum requirements in experience per the substitution clause for education. As there were no admitted applicants, the examination was cancelled on August 6, 2022.

On his application and resume, the appellant indicated possession of an Associate's degree in Allied Health Services. He listed three positions on his application and resume: provisional Audio/Visual Specialist, Promotions/On Air (part-time, 20 hours per week), with Clear Channel Radio, and Mental Health

Technician/Aerospace Medical Technician with the United States Air Force. As the appellant did not have the required education, he was required to have three years of applicable experience. None of his experience was accepted and he was found to be lacking three years of applicable experience.

On appeal, the appellant provides copies of his application, various certifications and his diploma.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

When an applicant indicates extensive experience in titles established under the State Classification Plan, it is appropriate to utilize the job specifications to determine the primary focus of the duties of incumbents serving in career service In the eligibility screening process, reliance on the job specifications to determine the primary focus of duties for incumbents of a particular title or title series provides a standardized basis on which Agency Services can compare what an applicant indicates on his or her application to what incumbents in a particular title series generally perform. In order to maintain the integrity of the State Classification Plan, Agency Services cannot simply accept carte blanche how an applicant describes his or her experience when such a barometer exists. In this regard, it is noted that N.J.A.C. 4A:3-3.4 contemplates that employees are appointed to a title appropriate to the duties to be performed in the title and will not be assigned duties other than those properly pertaining to the assigned title which the employee holds. See In the Matter of William Moore (MSB, decided May 10, 2006).

On his resume, for the duties of his provisional position the appellant copied the Definition and Examples of Work from the job specification for the title. Then, he added additional one- or few-word duties, such as photography, audio editing, and optimizing video/images for television. Simply quoting the duties contained in the job specification on an application is not a sufficient basis on which to determine if a candidate's *specific* duties would meet the requirements for an examination. Candidates must demonstrate that the duties they perform qualify them for admission to the examination. *See In the Matter of Maxsine Allen and Vivian Stevenson* (MSB, decided March 10, 2004). Additionally, the duties that were in his own words are clipped and insufficient to determine what the appellant actually does and the primary focus of the position.

In any event, the appellant had been in his provisional position for nine months as of the May 2022 closing date and even if this experience had been accepted, he would still fall two years, three months short as of the closing date.

The appellant's position as Promotions/On Air include audio duties only. As the duties do not encompass the scope of the experience requirement, it was not accepted. The appellant's experience as a Mental Health Technician/Aerospace Medical Technician is clearly inapplicable.

An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal 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

Devrare' L. Webster Calib

Deirdré L. Webster Cobb

Chairperson

Civil Service Commission

Inquiries and

Correspondence

Nicholas F. Angiulo

Director

Division of Appeals and Regulatory Affairs

Civil Service Commission Written Record Appeals Unit

P. O. Box 312

Trenton, New Jersey 08625-0312

c: Earle Holder
Danielle Lorenc
Division of Agency Services
Records Center