



STATE OF NEW JERSEY

In the Matter of Jose Malcolm, Administrative Supervisor of Social Work (PC3764D), Passaic County Board of Social Services	:	FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION
CSC Docket No. 2022-2875	:	Examination Appeal
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ISSUED: October 12, 2022 (SLK)

Jose Malcolm appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Administrative Supervisor of Social Work (PC3764D), Passaic County Board of Social Services.

The subject examination's closing date was March 21, 2022. The education requirement was a Bachelor's degree supplemented by a Master's degree in Social Work, Psychology, Sociology, Guidance and Counseling or other field related to social work or social services. The experience requirements were four years of experience in social work involving obtaining social information from clients, determining their needs, and planning and carrying out treatment plans based on needs of individuals clients, two years of which shall have been in a supervisory capacity. Applicants who did not possess a Bachelor's could have substituted additional experience as indicated on a year for year basis with 30 semester hour credits being equal to one year of experience. Applicants who did not possess the required Master's degree could have substituted one additional year of experience. A total of 11 employees applied and four were admitted. The test was administered on June 21, 2022 and two were determined eligible. Certification PL221138 was issued containing the names of the two eligibles and its disposition is due November 15, 2022. The list expires on August 10, 2024.

On the appellant's application, he indicated that he possessed a Bachelor's degree and a Master's degree in Administrative Science. He also indicated that he

was an Assistant Administrator from November 2021 to the closing date, a Human Services Specialist 4 from November 2011 to November 2021, a Social Worker, Bilingual in Spanish and English from September 2003 to November 2011, a Human Services Specialist 2, Bilingual in Spanish and English from November 2002 to September 2003, and a Human Services Specialist 1 from July 1999 to November 2002. Personnel records indicate that he was provisionally appointed as an Assistant Administrative Supervisor, Income Maintenance from November 2021 to the closing date, a Human Services Specialist 4 from November 2011 to November 2021, a Social Worker from July 2003 to November 2011, a Human Services Specialist 2 from August 2002 to July 2003, a Human Services Specialist 1, Bilingual in Spanish and English from June 2001 to August 2002, and an Income Maintenance Technician, Bilingual in Spanish and English from July 1999 to June 2001. Agency Services credited him with a Bachelor's degree and having met the general experience requirement, but determined that he lacked the required supervisory experience.

On appeal, while the appellant acknowledges that he does not have a Master's degree in Social Work, he highlights his Master's degree in Administrative Science. He presents that he has 11 years of experience in the Social Services department, the last eight years have been as the department supervisor. Additionally, he describes how he performed the required supervisory duties as a Human Services Specialist 4.¹

CONCLUSION

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:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process. *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 appellant's application and appeal indicates that Agency Services correctly determined that the appellant was not eligible for the subject examination. Specifically, the appellant's application does not clearly indicate that he performed the required supervisory duties. On appeal, the appellant describes how he performed the required supervisory duties as a Human Services Specialist 4. However, the job specification for this title does not indicate that incumbents supervise the planning and carrying out of treatment plans as required for the subject examination. Therefore, if the appellant did perform the required supervisory duties as a Human Services Specialist 4, this would be out-of-title work. However, the appointing authority did not verify that the appellant performed the

¹ This agency contacted the appointing authority to verify that the appellant was performing the required out-of-title supervisory duties as a Human Services Specialist 4, but it did not respond.

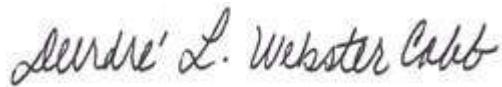
required supervisory duties out-of-title as a Human Services Specialist 4 as required. See N.J.A.C. 4A:2-6(c)1.

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



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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c: Jose Malcolm
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