



STATE OF NEW JERSEY

In the Matter of Ismeta Saint Clair,
Investigator 1 (PS1572K),
Department of Children and Families

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

CSC Docket No. 2022-1247

Examination Appeal

ISSUED: November 2, 2022 (JET)

Ismeta Saint Clair appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirement for the promotional examination for Investigator 1 (PS1572K), Department of Children and Families.

The promotional examination was announced with specific requirements which had to be satisfied by the May 21, 2021 closing date. Specifically, the announcement was open to, in pertinent part, candidates who possessed a Bachelor's degree, and one year of office and/or field experience conducting investigations, collecting evidence, and preparing investigative reports related to criminal, civil, or regulatory matters involving fraud, misrepresentation, or other acts of criminal or civil misconduct. It was noted that applicants who did not possess the required education could substitute experience in the investigation of criminal, civil, regulatory matters, on a year-for-year basis, with 30 semester hour credits being equal to one year of experience. A total of 14 applicants applied for the subject examination, and nine candidates were determined eligible. One certification was issued (PS211320), and eight appointments were made.¹

¹ The ninth candidate was removed from the certification as she was no longer employed.

On her application, the appellant noted that she possessed 116 college credits. Agency Services credited her with three years and six months for her college credits.² Therefore, according to the substitution clause, she would need to possess an additional one year and six months of applicable experience. The appellant also listed on her application and resume that she served as an Investigator/Paralegal Technician Assistant³ from November 2016 to the closing date. Agency Services did not credit any of her time as an Investigator/Paralegal Technician Assistant, as she did not indicate that she performed investigations or collected evidence. Moreover, it did not find any of her other listed experience applicable. Accordingly, Agency Services determined that the appellant was ineligible for the examination, as she lacked one year and six months of applicable experience.

On appeal, the appellant states, among other things, that she is qualified for the examination, and her duties as an Investigator 1, which she has been serving in provisionally since June 2020, include processing child abuse record information consent forms; conducting background checks; preparing correspondence; maintaining liaison with other agencies; conducting quality reviews; and providing technical assistance to child care facilities. She also states that she investigates VISA and ATM transactions; identifies locations of transactions; confirms travel notifications for clients; interviews clients to confirm if transactions are valid; contacts local authorities; confirms validity of businesses; and confirms if transactions match database information. The appellant explains that she did not list those duties on her application as she believed she could only list the duties she performed while in her permanent title of Paralegal Technician Assistant.

It is noted that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the 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 order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, it is noted that on appeal, the appellant has clarified the duties she performed after her provisional appointment to the title of Investigator 1, effective June 2020. Such experience would provide the appellant with one year of applicable

² It is noted that 105 college credits are the maximum amount that can be credited for incomplete degrees for eligibility purposes.

³ The appellant served as a Paralegal Technician Assistant from November 2016 to February 2019, as a provisional Investigator 3 from February 2019 to June 2020, and as a provisional Investigator 1 from June 2020 to the May 2021 closing date. See *In the Matters of Deiruska Corrales, et. al., Department of Children and Families* (CSC, decided April 7, 2021). This agency renumbered the Investigator title series, effective June 20, 2020.

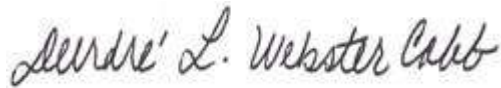
experience as of the closing date. *See N.J.A.C. 4A:4-2.1(g)*. Moreover, a review of the record indicates that the appellant continues to serve provisionally in the title of Investigator 1 after the closing date of May 21, 2021, thereby providing her with an additional six months of applicable experience. Further, the record evidences that the examination situation is not competitive since no eligibles remains on the list. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C. 4A:4-2.6(a)* and accept the appellant's provisional experience after the closing date, for eligibility purposes only, and admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's application be processed for prospective employment opportunities.

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 2ND DAY OF NOVEMBER, 2022



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