



**STATE OF NEW JERSEY**

In the Matter of Rachel Smith,  
Chemist 1 (M0377D), Millville

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

CSC Docket No. 2022-3239

Examination Appeal

**ISSUED:** November 2, 2022 (SLK)

Rachel Smith appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the open competitive examination for Chemist 1 (M0377D), Millville.

The subject examination’s closing date was March 21, 2022. The experience requirements were a Bachelor’s degree in any natural science or physical science, including or supplemented by 24 credits hours in chemistry which shall have included a minimum of six credits in analytical chemistry. The experience requirements were one year of chemical analysis work in a public health or chemistry laboratory. Applicants who did not possess the Bachelor’s degree, but who did possess the credits outlined above could have substituted experience for the remaining education on a year-for-year basis. A Master’s degree in chemistry could have substituted for the required experience. A total of three applicants applied and all three were found ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

On the appellant’s application, she indicated that she possessed a Bachelor’s degree in Environmental Science. She also indicated that she provisionally served in the subject title from February 2021 to the closing date, was an Environmental Analyst for Endyne Laboratories from June 2019 to February 2021, an Analyst 1 for Eurofins TestAmerica from November 2018 to June 2019, and a Lab Technician for Eurofins TestAmerica from April 2018 to November 2018. Agency Services credited

the appellant for having met the experience requirements and having a qualifying Bachelor's degree, 19 general chemistry credits, and four analytical chemistry credits, but determined that she lacked five general and two analytical chemistry credits.

On appeal, the appellant highlights several additional college science courses that included chemistry as part of the curriculum. Further, she asserts that her over four years of experience analyzing chemistry results in labs should substitute for any finding that she lacked the required analytical chemistry credits. Moreover, the appellant emphasizes that the lab that she works in while provisionally serving in the subject title was certified by the State Department of Environmental Protection (DEP) and she was deemed qualified by DEP to run the lab.

### CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In this matter, Agency Services correctly determined that the appellant was not eligible as her college transcript indicates that she lacks five general and two analytical chemistry credits and the arguments that she submits on appeal do not indicate that she possesses the required education. However, it cannot be ignored that the appellant indicates that she has completed additional college courses that involved chemistry, she meets the experience requirements, she met DEP's requirements to work in the lab certified by it, and she continues to successfully provisionally serve in the subject title. Moreover, the examination was cancelled due to a lack of qualified candidates. The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. *See Communications Workers of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998). Therefore, the Commission finds good cause under *N.J.A.C.* 4A:1-1.2(c) to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and accept the totality of the appellant's education and experience, for eligibility purposes only, and admit her to the subject examination.

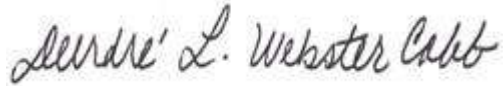
This determination is limited to the instant matter and does not provide precedent in any other matter.

### 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 only.

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 2<sup>ND</sup> DAY OF NOVEMBER, 2022



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