



STATE OF NEW JERSEY

In the Matter of Judith Williams,
Supervisor of Investigations
(PS5491K), Department of Children
and Families

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

Examination Appeal

CSC Docket No. 2023-176

ISSUED: December 7, 2022 (SLK)

Judith Williams appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Supervisor of Investigations (PS5491K), Department of Children and Families.

The subject examination’s closing date was June 21, 2021. The education requirement was a Bachelor’s degree. The experience requirements were, in pertinent part, four years 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, one year of which shall have included supervisory responsibility. A Master’s degree in Public Administration, Business Administration, Social Work or Criminal Justice could have substituted for one year of experience. A total of nine employees applied, seven were admitted, and four were found eligible after the test was administered. Certification PS221019 was issued containing the names of three eligibles, where one was appointed and two were removed. The list expires on January 5, 2024.

On her application, the appellant indicated that she had a Master’s degree in Public Administration. She also indicated that she was an Investigator 3 from February 2019 to the closing date and a Paralegal 1 from September 2012 to February 2014. Personnel records indicate that she was an Investigator 3 from February 2019

to the closing date, a Paralegal Technician 1 from May 2014 to February 2019, a Paralegal Technician 2 from December 2011 to May 2014, and a Paralegal Technician Assistant from September 2009 to December 2011. Agency Services credited her with three years and five months of experience based on her Master's degree in Public Administration and her experience as an Investigator 3, but determined that she lacked seven months of experience.

On appeal, the appellant asserts that she has over eight years of the required experience while working for the appointing authority, including eight years of supervisory experience, and she describes her duties.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) requires applicants to possess all the requirements specified in an announcement for a promotional examination by the closing date. *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 purpose of Title 11A, New Jersey Statutes. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In this matter, Agency Services correctly determined that the appellant was not eligible as she had three years and five months of experience based on her Master's degree in Public Administration and her Investigator 3 experience. It is noted that if the appellant was performing the required duties as a Paralegal Technician 1, this would be considered out-of-title experience. However, on appeal, the appellant indicates that she has gained the required experience as an Investigator 3 after the closing date. Further, the list is incomplete as there is only one name remaining on the list. 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, there is good cause under *N.J.A.C.* 4A:1-1.2(c) to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the appellant's experience gained after the closing date, for eligibility purposes only, and admit her to the subject examination.

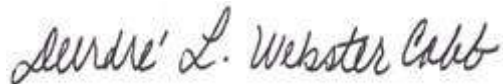
This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that this appeal be granted, 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 7TH DAY OF DECEMBER, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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