



STATE OF NEW JERSEY

In the Matter of Eva Freeman and
Charlika Little, Program Specialist 1,
Social/Human Services (PS6260K),
New Lisbon Developmental Center

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

CSC Docket Nos. 2022-1928 and
2022-1858

Examination Appeals

ISSUED: MAY 23, 2022 (SLK)

Eva Freeman and Charlika Little appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Program Specialist 1, Social/Human Services (PS6260K), New Lisbon Developmental Center. These appeals have been consolidated due to common issues presented.

The subject examination's closing date was September 21, 2021. The education requirement was a Bachelor's degree. The experience requirements were one year of experience in planning, monitoring, coordinating, implementing, modifying and/or evaluating a social or human services program. Applicants who did not possess the required education could have substituted applicable experience on a year for year basis, with 30 semester hour credits being equal to one year of experience. A Master's degree in a Social/Human Services specialty area, Public or Business Administration, Child Advocacy and Policy, or Child Advocacy and Policy with a concentration in Public Child Welfare could have been substituted for the required experience. A total of 15 employees applied and all were found ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

On Freeman's application, she indicated that she possessed a Bachelor's degree. She also indicated that she was a Cottage Training Supervisor from December 2020 to the September 21, 2021, closing date and a Cottage Training Technician from May 2004 to December 2020. Personnel records indicate that she was a Cottage Training Supervisor from December 2020 to the closing date, a Cottage

Training Technician from May 2012 to December 2020, a Senior Therapy Program Assistant from October 2011 to May 2012, a Cottage Training Technician from March 2008 to October 2011, a Human Services Assistant from December 2007 to March 2008, a Cottage Training Technician from September 2005 to December 2007, a Human Services Assistant from August 2004 to September 2005, and a Direct Care AFSCME from May 2004 to August 2004. Agency Services credited her with having met the education requirements, but determined that she lacked one year of experience.

On Little's application, she did not indicate that she possessed a Bachelor's degree. She did indicate that she was a Senior Therapy Program Assistant from March 2007 to the September 21, 2021, closing date, a Cottage Training Technician from May 2003 to March 2007, a Human Services Assistant from October 2001 to May 2003, a Senior Food Service Handler from June 2001 to October 2001, and a Food Service Worker from March 2000 to June 2001. Personnel records indicate that she was a Senior Therapy Program Assistant from March 2007 to the September 21, 2021, closing date, a Cottage Training Technician from May 2003 to March 2007, a Human Services Assistant from October 2001 to May 2003, a Senior Food Service Handler from March 2001 to October 2001, and a Senior Food Service Worker-12 months from March 2000 to March 2001. Per the substitution clause for education, Agency Services determined that she lacked five years of experience.

On appeal, Freeman presents that she has 17 years working for the Department of Human Services and a Bachelor's degree in Psychology and three Associate's degrees. She states that in addition to meeting the education requirements, she performed the required duties as these duties fell under "other duties" that are not specifically listed in the job specifications for her titles. Freeman indicates that she planned, monitored, coordinated, modified, and implemented programs for individuals. Also, Freeman states that she worked alongside a Senior Therapy Program Assistant and they both performed the required duties. She presents that she is now a Cottage Training Supervisor who supervises staff running programs and she not only evaluates direct care, but the programming for individuals.

Little presents that she has over 16 years as a Senior Therapy Program Assistant. She indicates that her duties consisted of coordinating special events, implementing social and vocational programs and evaluating and modifying programs based on an individual's specific needs and functional level. Little requests that her experience substitute for the education requirement.

CONCLUSION

N.J.A.C. 4A:4-2.5(a) provides that a professional title requires a Bachelor's or higher level degree, with or without a clause to substitute experience for education.

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:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

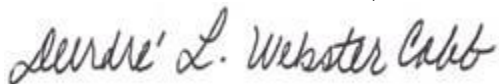
In this matter, a review of the appellants' applications and appeals indicates that Agency Services correctly determined that they were not eligible for the subject examination. Specifically, the appellants' service was in non-professional level titles. However, the subject examination required a Bachelor's degree, which indicates that professional level experience was required. Therefore, while the appellants may have had some involvement in performing the required duties while serving in non-professional titles, their experience was not applicable as it was not at the level and scope required for the subject examination. *See In the Matter of Mirian Vargas* (CSC, decided April 19, 2017). Moreover, even if it were applicable, neither appellant has demonstrated that the primary focus of any of their experience entailed full-time duties applicable to the title under test. To be considered applicable, experience must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004).

ORDER

Therefore, it is ordered that these appeals 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 18TH DAY OF MAY, 2022



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