

STATE OF NEW JERSEY

In the Matter of Wayne Casa and
Lesley Clelland, Executive Assistant
3 (PS6939H), Department of Health

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket Nos. 2022-2769 and
2022-2724

Examination Appeals

ISSUED: JULY 25, 2022 (SLK)

Wayne Casa and Lesley Clelland appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Executive Assistant 3 (PS6939H), Department of Health. These appeals have been consolidated due to common issues presented.

The subject examination’s closing date was November 22, 2021. The education requirement was a Bachelor’s degree. The experience requirements were four years of experience in program management with responsibility for planning, organizing, coordinating, staffing, reporting and budgeting or in assisting an executive with program development and implementation. 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 Public Administration, Business Administration, Management or other closely related field could have been substituted for one year of experience. A total of four employees applied and two were found eligible. Certification PS220365 was issued containing the names of the two eligibles and one was appointed. The list expires on April 20, 2025.

On Casa’s application, he indicated that he possessed a Bachelor’s degree. He also indicated that he was a Health Economics Research Specialist 2 from July 2017 to the November 22, 2021, closing date, a part-time co-founder for Mid-Atlantic Supplements, LLC from January 2014 to January 2018, a Claims Adjudicator from June 2016 to July 2017¹, a Data Analyst for NMIT from November 2013 to June 2016,

¹ Personnel records indicate that Casa was a Claims Adjudicator, Disability Determinations from June 2017 to July 2017 and a Claims Adjudicator Trainee, Disability Determinations from June 2016 to June 2017.

a Business Development Executive for Infragistics from December 2009 to July 2012, and a Senior Account Executive for JG Wentworth from February 2007 to December 2008. Agency Services credited him with having met the education requirements, but determined that he lacked four years of experience.

On Clelland's application, she indicated that she had a Bachelor's degree and a Master's degree in Human Services. She also indicated that she was a Program Specialist 3 from November 2018 to the November 22, 2021, closing date, a Court Services Supervisor 2 from September 2012 to November 2018, a Senior Family Services Specialist for Children's Home Society of New Jersey from February 2011 to September 2012, a Program Coordinator with the Children's Home Society of New Jersey from April 2010 to December 2010, a Senior Social Worker for Mecklenburg County DDS from October 2006 to August 2009, and a Project Coordinator for Trenton from August 2000 to April 2006. Agency Services credited her with having met the education requirements, but determined that she lacked four years of experience.

On appeal, Casa states that as a partner for Mid-Atlantic Supplements for four years, he performed duties in all required areas and he describes in detail his product fulfillment, sales, procurement, event coordination, and budgeting duties in this position. Further, he describes planning, organizing, coordinating, staffing, and reporting duties he performed in some of his positions. However, Casa notes that he is not presenting any budgeting duties that he performed in any position outside of his Mid-Atlantic Supplements experience.

Clelland presents that as a Program Specialist 3, she served as the Executive Director of the Nursing Home Administrator Licensing Board (NHALB) where she managed the day-to-day operations of the NHALB program to ensure compliance with State and federal regulations and internal policies. She indicates that this included investigating and determining actions regarding complaints filed against an administrator and ensuring that all licensure and disciplinary actions were up to professional code. Additionally, Clelland indicates she planned Board meetings, and she was responsible for certified assistant living administrators and supervised others. She states that as a Program Coordinator with the Children's Home Society in New Jersey, she developed and monitored monthly social service programs, supervised staff, and created and implemented new programs. Clelland presents that as a Program Coordinator for Trenton, she planned and implemented public health programs to address maternal/child health outcomes. She states that she developed policies and procedures, monitored and evaluated the ongoing progress of the project to ensure the project's objectives were met, and handled payment/fees and reconciled balance/accounts that fell into the project's budget.

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:4-6.3(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. It is noted that an experience requirement in an announcement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they primarily performed all those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience. *See In the Matter of Karen Conti* (CSC, decided April 19, 2017). Therefore, for any experience that the appellants indicate, the appellants must have primarily planned, organized, coordinated, staffed, reported **and** budgeted in the position.²

Regarding Casa's Mid-Atlantic Supplements experience, while his application indicates that he is a co-founder, no other employees are indicated. Further, he does not present any staffing duties on his application or on appeal for this position. As such, this experience is not applicable since he was not primarily performing **all** the required duties in this position. Additionally, even if he was primarily performing all the required duties in this position, as this was a part-time position with no other employees, except for possibly a co-founder, these duties would not be at the level and scope required. Moreover, even if this was applicable experience, as this was a 20-hour per week position and not a full-time position, this experience would need to be pro-rated and would be less than the four years of required full-time experience. Concerning his other experience, there is no indication that he performed any budgeting duties in these positions. Similarly, although he indicates that he was involved in staffing as a Staff Account Executive and Data Analyst, staffing was not a primary responsibility.

Regarding Clelland's Program Specialist 3 experience, while she indicates that she completed program and data reporting needed for budgeting, she has not clearly indicated that budgeting was a primary responsibility in this position. Applicants are required to unambiguously indicate relative experience. *See In the Matter of Marcella Longo* (MSB, decided November 4, 2004) and *In the Matter of Rui Reguinho*

² In the alternative, the appellants could have indicated that they assisted an executive with program development and implementation; however, there was no indication that this was the case for either appellant.

(MSB, decided October 6, 2004).³ Moreover, even if budgeting was a primary duty in her Program Specialist 3 position, she would still only possess three years and one month of experience, and she would lack 11 months of experience as she does not indicate any budgeting experience for any other position.⁴

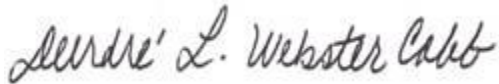
Finally, neither appellant indicated that their primary responsibility in any position was assisting an executive with program development and implementation in any position.⁵

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 20TH DAY OF JULY 2022



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³ On appeal, Clelland does not make any mention of budgeting while describing her duties as a Program Specialist 3.

⁴ Clelland indicates that as a Project Coordinator for Trenton, she handled payments/fees and reconciled balance accounts that fell into the project's budget, but there is no indication that she was responsible for developing the budget.

⁵ Clelland indicates that she made reports to the Director in her Program Coordinator position with the Children's Home Society of New Jersey, but this is not the same as primarily assisting an executive with program development and implementation.

c: Wayne Casa (2022-2769)
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