



STATE OF NEW JERSEY

In the Matter of Amarjit Chawla and Jeffrey McDonough, Title Officer (PS4010T), Department of Transportation	:	FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION
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CSC Docket Nos. 2022-2906 and 2022-2907	:	Examination Appeals
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ISSUED: JULY 25, 2022 (SLK)

Amarjit Chawla and Jeffrey McDonough appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Title Officer (PS4010T), Department of Transportation. These matters have been consolidated due to common issues presented.

The subject examination’s closing date was September 21, 2021. The education requirements were a Bachelor’s degree. The experience requirements were seven years of experience in title searching and other work relating to the conveyance of real estate, two years of which shall been in a supervisory capacity with experience in the preparation of deeds and related instruments incidental to the conveyance of real estate and the conduct of final closing settlements. Applicants who do not possess the required education could have substituted additional non-supervisory experience as indicated above on a year for year basis with one year of experience being equal to 30 semester hour credits. A total of four applied and all four were determined ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

On Chawla’s application, he indicated that he possessed a Bachelor’s of Law from India and training from a law school in the United States. He also indicated that he had an “internship” with the appointing authority from March 1986 to the September 21, 2021, closing date. However, Chawla did not describe his duties under

the Internship section of the application nor did he list any experience under the Experience section of the application. Personnel records indicate that he was a Principal Title Examiner from December 2002 to the September 21, 2022, closing date, a Senior Title Examiner from March 1999 to December 2002, a Title Examiner from December 1996 to March 1999, an Engineering Technician 4 from September 1988 to December 1996, and an Engineering Aide 1 from March 1986 to September 1988. Agency Services credited him with having met the education requirement, but determined that he lacked the required general and supervisory experience.

On McDonough's application, he indicated that he possessed 15 college credits. He also indicated that he was provisionally serving in the subject title from March 2020 to the September 21, 2021 closing date, a Principal Title Examiner from June 2005 to March 2021, a Senior Title Examiner from January 2004 to June 2005, a Title Examiner from July 2002 to January 2004, a Title Searcher from June 2001 to July 2002, a Business Eligibility Analyst for United Health Group from February 2000 to June 2001, an Owner of Monmouth County Document Services from May 1998 to February 2000, a Self-Employed Title Searcher from March 1989 to February 2000, a Title Plant Manager/Title Searcher/Sales for Chicago Title Insurance Company from January 1985 to March 1989, a Dispatcher for Freehold Fire Department from February 1984 to January 1985, and a Military Police Officer for the United States Army from February 1981 to February 1984. Personnel records indicate that he was provisionally serving in the subject title from March 2020 to the September 21, 2021 closing date, a Principal Title Examiner from June 2005 to March 2020, a Senior Title Examiner from November 2004 to June 2005, a Title Examiner from December 2002 to November 2004, and a Title Searcher from June 2001 to December 2002. Agency Services, per the substitution clause for education, credited the appellant with having met the general experience requirements, but determined that he lacked two years of supervisory experience.

On appeal, Chawla presents that he has 35 years of experience with the appointing authority, was previously determined eligible for a position in the subject title for a prior examination, and the appointing authority twice interviewed him for a provisional position in the subject title after it deemed him eligible. He highlights his 20 years of supervisory experience in his current position as a Principal Title Examiner. Chawla notes that he practiced law in India for seven years and describes his experience with the appointing authority in detail. He believes that he is the most qualified candidate. Chawla submits his application, his resume, and other documentation to support his appeal.

McDonough presents that he has been provisionally serving in the subject title for over two years, he has over 37 years of experience relating to the conveyance of real estate, and more than 20 years of experience with the appointing authority. He asserts that he has over eight years of supervisory experience. McDonough clarifies that this experience includes the preparation of deeds as well as other documents,

such as mortgage releases, subordination agreements and many other title related documents used for parcel acquisition. McDonough also highlights that he had been determined eligible for the subject title in a prior examination.

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:4-2.1(g) provides that the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

Initially, Agency Services correctly determined that the appellants were not eligible. Specifically, although Chawla indicated that he was an “intern” for the appointing authority March 1986 to the September 21, 2021, he did not list each title that he held, and more importantly, he did not describe any duties that he performed for any position. McDonough did not clearly indicate that he had two years of experience supervising the preparation of deeds. However, the appellants clarify how they performed the required duties for the required time by the September 21, 2021 closing date. Moreover, the appellants continue to successfully perform the required duties after the closing date and the examination has been 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 to accept the appellants’ clarified experience, for eligibility purposes only, and admit them to the subject examination.

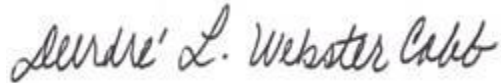
The Commission notes, however, that when applying for future examinations, Chawla should indicate his experience with the appointing authority under the Experience section of the application and not the Internship section. Additionally, he should list each experience separately and both he and McDonough should describe the duties that they performed for each position in detail so that Agency Services can properly evaluate their experience. The Commission warns the appellants that their failure to do so may lead to their ineligibility in future examinations. This determination is based on the particular facts of this matter and may not be used as precedent in any future matter.

ORDER

Therefore, it is ordered that the appeals be granted, the examination cancellation be rescinded, and Amarjit Chawla's and Jeffrey McDonough's applications 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 20TH DAY OF JULY 2022



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