



STATE OF NEW JERSEY

In the Matter of Hana Hammed,  
Human Services Specialist 4  
(PC5164D), Hudson County

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2023-1284

Examination Appeal

ISSUED: March 15, 2023 (SLK)

Hana Hameed appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Human Services Specialist 4 (PC5164D), Hudson County.

The subject examination's closing date was September 21, 2022. The education requirements were 60 college credits. The experience requirements were three years of experience involving any combination of the following: securing/verifying information and making determinations or recommendations relating to eligibility or qualifications of applicants for loans, insurance, credit, employability, and/or job training services, or entitlement to cash awards, financial benefits, or adjustment and settlement of insurance claims; investigations which involve collection of facts and information by observing conditions, examining records, interviewing individuals, and preparing investigative reports of findings; or investigating, establishing, and/or enforcing support obligations in a welfare board or agency, court system, or related agency. One year of the above experience shall have been in a **lead capacity**. A Bachelor's degree could have been substituted for the education requirement and for two of three years of required experience. Applicants who did not possess the required education could have substituted experience as indicated on a year for year basis. A total of 108 employees applied and 65 were admitted. The test was administered on February 16, 2023 and the list has not yet promulgated.

On the appellant's application, she indicated that she possessed a Master's degree. Also, she indicated that, for the appointing authority, she was a Fraud

Investigator from September 2013 to the examination closing date. Personnel records indicate that she was a Human Services Specialist 1 (HSS1) from April 2018 to the closing date, a Human Services Aide from April 2015 to April 2018, and a HSS1 from January 2014 to April 2015. The Division of Agency Services (Agency Services) credited the appellant with having met the education and general experience requirements, but it determined that she lacked one year of lead worker experience.

On appeal, the appellant states that she has been a Fraud Investigator<sup>1</sup> since July 18, 2022. Further, she notes that she has worked for the appointing authority for over 10 years, including serving provisionally for more than three years.<sup>2</sup> The appellant provides that she started with the appointing authority in 2013 as an HSS1. Therefore, she does not understand how she was determined ineligible because she lacked one year of experience as a lead worker when the appointing authority has appointed others to the subject title based on their HSS1 experience without having lead worker experience. The appellant claims that this agency has previously found unqualified HSS1s without lead worker experience eligible for the subject title. Therefore, she questions why she cannot have the same opportunity. Additionally, she presents that prior to her employment with the appointing authority, she was a Manager at a billiards hall and a Crew Leader for the United States Census Bureau. Further, the appellant asserts that she has undertaken many leadership roles including her internship and obtaining her Masters' degree in Criminal Justice.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a)2 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 appellant's application and appeal indicates that Agency Services correctly determined that she was not eligible for the subject examination. Specifically, while the appellant met the education and general experience requirements, she lacked one year of lead worker experience as required as she did not indicate on her application that she performed any lead worker duties while employed by the appointing authority. Lead worker experience includes training, assigning and/or reviewing work of other employees on a regular and recurring basis, such that you would have had contact with other employees in an advisory position. *See In the Matter of Henry Li* (CSC, decided March 26, 2014). A leadership role refers to those persons whose titles are non-supervisory in nature, but

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<sup>1</sup> As listed above, personnel records do not indicate that an appointment to an Investigator title has been recorded. Additionally, it is noted that there is no official Civil Service title of "Fraud Investigator."

<sup>2</sup> Other than the appellant's initial hire as a Human Services Specialist 1, personnel records do not indicate that she has held any position provisionally.

are required to act as a leader of a group of employees in titles at the same or a lower level than themselves. *See In the Matter of Catherine Santangelo* (Commissioner of Personnel, decided December 5, 2005).

The appellant does not appear to dispute that she has not acted as a lead worker while working for the appointing authority. Instead, she claims that both the appointing authority and this agency have previously approved the appointments of HSS1s who did not have lead worker experience to the subject title. In essence, she contends that she is being treated unfairly. Initially, since the appellant has not named specific individuals and specific examinations, her claims cannot be verified. Regardless, if she is claiming that the appointing authority has provisionally promoted HSS1s without the required lead worker experience to the subject title, it is noted that provisional vacancy postings are initiated by the appointing authority and they are not monitored by this agency. Further, if the appellant is claiming that this agency has found HSS1s without the required lead worker experience eligible for prior examinations for potential permanent appointment in the subject title, eligibility is determined on the basis of each discrete announcement, and each announcement may have different eligibility requirements. Regardless, if the appellant does not meet the requirements for the current announcement, the fact that others may have been admitted in error to a prior examination for the same title does not provide her with an entitlement to eligibility in the instant matter. No vested or other rights are accorded by an administrative error. *See Cipriano v. Department of Civil Service*, 151 N.J. Super. 86 (App. Div. 1977); *O'Malley v. Department of Energy*, 109 N.J. 309 (1987); *HIP of New Jersey v. New Jersey Department of Banking and Insurance*, 309 N.J. Super. 538 (App. Div. 1998).

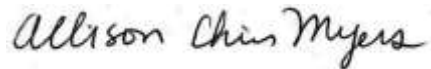
Concerning the appellant's leadership as a Manager at a billiards hall, as a Crew Leader for the United States Census Bureau, and as an Intern, as these experiences were not included on her application, they are considered an amendment to her application after the examination closing date and cannot be considered on appeal. *See N.J.A.C. 4A:4-2.1(f)*. Nevertheless, even if these experiences could be considered, as there is no indication that these positions involved acting as a lead worker for employees who were making eligibility determinations for financial benefits programs or other experience as indicated in the announcement, these positions do not provide applicable lead worker experience for the subject examination. Similarly, as there is no indication in the subject announcement that education can substitute for the required one-year of lead worker experience, the appellant's Master's degree does not satisfy the lead worker experience requirement.

**ORDER**

Therefore, it is ordered that this appeal 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 15<sup>TH</sup> DAY OF MARCH, 2023



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Allison Chris Myers  
Acting Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Nicholas F. Angiulo  
Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

c: Hana Hameed  
Elinor Gibney  
Division of Agency Services  
Records Center