



STATE OF NEW JERSEY

In the Matter of Michael Simmons,
Program Specialist 3 Social/Human
Services (S1086D), Statewide

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2023-1361

Examination Appeal

ISSUED: March 15, 2023 (HS)

Michael Simmons appeals the determination of the Division of Agency Services (Agency Services), which found that he did not meet the experience requirement for the open competitive examination for Program Specialist 3 Social/Human Services (S1086D), Statewide.

The subject examination was announced with a closing date of August 22, 2022 and was open to New Jersey residents who possessed a Bachelor’s degree and three years 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 substitute additional experience on a year-for-year basis. Fifty-one applicants have been admitted to the examination.

On his application, the appellant did not indicate possession of a Bachelor’s degree. Therefore, pursuant to the substitution clause for education, the appellant needed seven years of experience in total. The appellant indicated possession of 115 credits from Rowan University. He also listed his experience as Program Specialist 3 Social/Human Services/Acting Director of Information Technology with Ancora Psychiatric Hospital (Ancora) from January 2021 to August 2022; Program Specialist 3 Social/Human Services/Information Technology Help Desk Supervisor with Ancora from November 2020 to December 2020;¹ Information Technology Specialist with the

¹ Agency records indicate that the appellant received a provisional appointment to the subject title effective November 21, 2020. He continues to serve in that capacity.

Office of Information Technology from December 2017 to November 2020; Information Technology Specialist with Ancora from December 2011 to December 2017; Technical Support Associate with Rowan University from January 2004 to May 2009; and Computer Technician Intern with Compucom from January 2003 to May 2003. Agency Services credited the appellant with possession of 105 college credits, the maximum allowable for an incomplete Bachelor's degree, which were equivalent to three years and six months of experience. None of the listed experience was credited. Specifically, Agency Services noted that the appellant's Program Specialist 3 Social/Human Services/Acting Director of Information Technology; Program Specialist 3 Social/Human Services/Information Technology Help Desk Supervisor; and two Information Technology Specialist positions all focused primarily on information technology. Agency Services further noted that the appellant's Technical Support Associate and Computer Technician Intern positions were not in a social/human services program. Therefore, Agency Services deemed the appellant ineligible since he lacked three years and six months of experience and thus did not meet the experience requirement set forth in the announcement.

On appeal to the Civil Service Commission, the appellant maintains that he is eligible.

The job description reveals that an individual in the title of Program Specialist 3 Social/Human Services directly supervises professional and/or technical staff engaged in program activities and performs the more complex and sensitive professional, administrative, and analytical work to promote the planning, operation, implementation, monitoring, and/or evaluation of human or social services programs.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

A review of the appellant's application reveals that he did not possess the required experience. In order for experience to be considered applicable, it 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). The amount of time, and the importance of the duty, determines if it is the primary focus. An experience requirement that lists a number of duties that define the primary experience, requires that the applicants demonstrate that they primarily performed all of 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 Jeffrey Davis* (MSB, decided March 14, 2007). In the instant matter, none of the positions the appellant listed on his application, as described by him, had experience in planning, monitoring, coordinating, implementing, modifying, and/or evaluating a social or human services program as the primary focus. Accordingly,

the record reflects that the appellant did not meet the requirements for the title under test.

Finally, the appellant is presently serving in the title of Program Specialist 3 Social/Human Services. *N.J.S.A.* 11A:3-1 and *N.J.A.C.* 4A:3-3.1(a) provide that each position in the career and unclassified services shall be assigned to a job title. *N.J.A.C.* 4A:3-3.3(d) provides that positions in the career, unclassified, and senior executive services shall be subject to job audit to ensure accurate classification and compliance with Titles 11A and 4A. Moreover, *N.J.A.C.* 4A:3-3.4 provides that no person shall be appointed or employed under a title not appropriate to the duties to be performed nor assigned to perform duties other than those properly pertaining to the assigned title that the employee holds. However, the primary focus of the appellant's duties, as noted above, would not be classified as being in planning, monitoring, coordinating, implementing, modifying, and/or evaluating a social or human services program. Therefore, it is appropriate that this matter be referred to the Division of Agency Services for a classification review of the appellant's position.

ORDER

Therefore, it is ordered that this appeal be denied. It is further ordered that the classification of the appellant's position be referred to the Division of Agency Services.

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 15TH DAY OF MARCH, 2023



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