

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Robert McGurk, Technician, Management Information Systems (PS8056I), Department of Corrections

CSC Docket No. 2023-1543

Examination Appeal

ISSUED: March 29, 2023 (**RE**)

Robert McGurk appeals the decision of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Technician, Management Information Systems (PS8056I), Department of Corrections.

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The subject promotional examination had a closing date of March 21, 2022 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date and who were serving in any competitive title and met the announced requirements. These requirements included successful completion of 60 semester-hour credits from an accredited college or university, and one year of year of experience in work involving information systems including responsibility for gathering, compilation, retrieval, maintenance, and distribution of financial, management and/or other technical information in a public or private organization, or in providing use support and solving user problems in a help desk or related environment., Applicants who did not possess the required education could substitute experience as indicated on a year for year basis. The appellant was found to be ineligible based on a lack of experience per the substitution clause for education. As the appellant was the sole applicant, the examination was cancelled on January 19, 2023.

On his application, the appellant indicated that he possessed no college credits, and therefore, was required to possess three years of experience per the substitution clause for education. On his application, he indicated that he was a provisional Technician, Management Information Systems from December 2015 to the March 2022 closing date. He also provided a resume with an additional position, self-employment from 1981 to December 2015, no hours worked per week given. Official records indicate that the appellant was a provisional Technician, Management Information Systems from March 2021 to the closing date, a Senior Repairer from September 2016 to March 2021, and a Repairer from December 2015 to September 2016. None of this experience was accepted, and he was found to be lacking three years of qualifying experience.

On appeal, the appellant provides a resume and a Position Classification Questionnaire signed only by himself. The appellant explains that his duties performed in the title Senior Repairer were to repair and expand a system of viewing stations (computers), switches and cameras. He states that he pulled miles of copper and fiber optic cable, and learned how a network system worked. As a provisional in the subject title, the appellant works on closed-circuit camera systems, doing installations, designing and implementing networks, and troubleshooting and verifying the functioning of cameras.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

The appellant was not credited by Agency Services with his experience as a provisional Technician, Management Information Systems as the duties he described do not match those of the required experience. Similarly, the appellant's duties are not those of a Senior Repairer. After review of his application and his information provided on appeal, those determinations are supported, and it appears that his position is misclassified. Accordingly, it is appropriate to forward this matter to Agency Services for a classification review of his provisional position pursuant to *N.J.A.C.* 4A:3-3.9.

An independent review of all material presented indicates that the decision of the Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied, and the matter of the classification of the appellant's provisional position be referred to the Division of Agency Services for review.

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 29TH DAY OF MARCH, 2023

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Allison Chris Myers Acting Chairperson Civil Service Commission

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