



STATE OF NEW JERSEY

In the Matters of Certified Nurse’s
Aide and Senior Certified Nurse’s
Aide

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket Nos. 2023-1907 and
2023-1908

Title Creation/Inactivation

ISSUED: March 29, 2023 (HS)

The Division of Agency Services (Agency Services) requests the establishment of the noncompetitive title of Certified Nurse’s Aide; the establishment of the competitive title of Senior Certified Nurse’s Aide; and the inactivation of the titles of Quality Assurance Specialist, Health Services and Assistant Hospital Maintenance Supervisor. These matters have been consolidated herein.

In support of its request, Agency Services presents that the Certified Nurse’s Aide and Senior Certified Nurse’s Aide titles will be used exclusively within the Department of Military and Veterans Affairs (DMAVA). The primary functions of the Certified Nurse’s Aide title would involve providing nonprofessional nursing care and participating as a member of a treatment team; reporting on patients/residents’ behavior and treatment-related issues of a non-medical nature between shifts; and working with patients/residents and their families and participating in the social, physical, and emotional rehabilitation of patients/residents. Incumbents would be required to possess a valid Nurse’s Aide Certification issued by the Department of Health. Agency Services requests that the Certified Nurse’s Aide title be assigned to the noncompetitive division due to the impracticability of competitive testing as the title is entry level and already licensed by regulation. *See N.J.A.C. 8:39-43.1, et seq.*¹ The primary functions of the Senior Certified Nurse’s Aide title would involve providing nonprofessional nursing care and participating as a member of a treatment

¹ Agency Services also indicates that the Certified Nurse’s Aide title would be assigned to salary range H13 with a 40 hour workweek.

team; taking the lead over Human Services Technicians, Human Services Assistants, or Certified Nurse's Aides; reporting on patients/residents' behavior and treatment-related issues of a non-medical nature between shifts; and working with patients/residents and their families and participating in the social, physical, and emotional rehabilitation of patients/residents. Incumbents would be required to possess a valid Nurse's Aide Certification issued by the Department of Health and two years of experience as a Certified Nurse's Aide in a long-term nursing care facility or hospital.² Agency Services requests that the Senior Certified Nurse's Aide title be assigned to the competitive division.

Agency Services also requests the inactivation of the titles of Quality Assurance Specialist, Health Services and Assistant Hospital Maintenance Supervisor, both of which have been unencumbered for some time. Further, the Quality Assurance Specialist, Health Services title has solely been used by DMAVA, which has no plans for future use of the title.

CONCLUSION

N.J.A.C. 4A:3-3.2(a) provides that the Civil Service Commission (Commission) shall establish and maintain classification plans for all job titles in the career, senior executive, and unclassified services. Additionally, *N.J.A.C.* 4A:3-3.3(a)2 provides that this agency shall implement and administer the classification plans and, in this regard, shall establish new titles, abolish unnecessary titles, and consolidate titles.

N.J.A.C. 4A:3-1.2(a) provides that the Commission shall allocate and reallocate career service titles between the competitive and noncompetitive divisions.

N.J.A.C. 4A:3-1.2(b) provides that a career service job title in the competitive division is subject to the competitive examination procedures of *N.J.A.C.* 4A:4-2.

N.J.A.C. 4A:3-1.2(c) provides that a job title may be placed in the noncompetitive division on an ongoing or interim basis when it is determined by the Commission that it is appropriate to make permanent appointments to the title and one or more of the following criteria are met:

1. Competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job;
2. Certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions; or

² Agency Services also indicates that the Senior Certified Nurse's Aide title would be assigned to salary range H15 with a 40 hour workweek.

3. There is a need for immediate appointments arising from a new legislative program or major agency reorganization.

Based on all of the foregoing, ample reasons exist for the establishment of the Certified Nurse's Aide title and its allocation to the noncompetitive division based on *N.J.A.C. 4A:3-1.2(c)1*. In this regard, the title would be entry-level with no experience requirement and already licensed by regulation. Incumbents will be required to possess a valid Nurse's Aide Certification issued by the Department of Health. Additionally, incumbents would be required to complete a four-month working test period prior to attaining permanent status. See *N.J.A.C. 4A:4-5.1(b)* and *N.J.A.C. 4A:4-5.2(b)2*. Accordingly, competitive testing is impracticable for this title. However, the establishment of the Senior Certified Nurse's Aide and its allocation to the competitive division, as requested by Agency Services, is appropriate.

The Commission also finds good cause to inactivate the Quality Assurance Specialist, Health Services and Assistant Hospital Maintenance Supervisor titles. Specifically, the titles have been unencumbered for some time. Further, the Quality Assurance Specialist, Health Services title has solely been used by DMAVA, which has no plans for future use of the title.

ORDER

Therefore, it is ordered that these requests be granted and the title of Certified Nurse's Aide be established and allocated to the noncompetitive division and the title of Senior Certified Nurse's Aide be established and allocated to the competitive division. It is further ordered that the request be granted to inactivate the titles of Quality Assurance Specialist, Health Services and Assistant Hospital Maintenance Supervisor. These actions shall be effective the first pay period following the Civil Service Commission's approval.

This is the final administrative determination in these matters. 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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