



STATE OF NEW JERSEY

In the Matter of P.B-H, Human
Services Specialist 4 (PC5164D),
Hudson County

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

CSC Docket No. 2024-70

Reconsideration

ISSUED: October 11, 2023 (SLK)

P.B-H. requests reconsideration of the Civil Service Commission’s June 7, 2023, decision which denied her challenge to her score on the Human Services Specialist 4 (PC5164D), Hudson County promotional examination.

By way of background, P.B-H. had been provisionally serving in the subject title.¹ The subject examination was tested using the Supervisory Test Battery (STB). The STB was administered on February 16, 2023, where the passing score was 44.6. P.B-H. was determined ineligible as her test score was 42.2, which was the below the minimum cutoff for the test. As described in the Commission’s prior decision, P.B-H. appealed her score on the subject examination based on the lack of understanding that she had concerning the two answer questions, how she expressed her lack of understanding to the test administrator, and how the test administrator was unable to assist her. The Commission denied her appeal as it explained how the STB instruction screen had properly advised her on how to take the test and all the test takers had these same instructions. The Commission also noted that there was a sufficient number of candidates who passed the STB for the subject examination. Therefore, it found that there was no remedy that could be provided for her.

In P.B-H.’s request for reconsideration, she attaches a letter from her medical care provider explaining that she has a disability that required certain types of

¹ Personnel records indicate that P.B-H. had been returned to her permanent title Human Services Specialist 4, effective July 3, 2023.

accommodations. She reiterates that during the prior appeal, she explained how the misunderstanding and the wording of the test administrator caused her to lose focus on the rules that needed to be applied. She states that she did request more time to go back and answer the missing questions with the understanding that she would only have one hour left to complete the test. P.B-H. explains that she was unaware that she had to advise this agency that she needed an accommodation. She indicates that she believed that because she had spoken with the appointing authority's personnel department about providing her with the supporting tools and accommodations for the test, she thought that was as far as she needed to go.

CONCLUSION

N.J.A.C. 4A:2-1.6(b) provides that a petition for reconsideration shall be in writing signed by the petitioner or his or her representative and must show the following:

1. The new evidence or additional information not presented at the original proceeding, which would change the outcome and the reasons that such evidence was not presented at the original proceeding; or
2. That a clear material error has occurred.

In this matter, P.B-H. has failed to meet the standard for reconsideration. Specifically, she fails to meet the first threshold as she could have proffered her accommodation argument during the initial appeal. Regardless, even if she had, this argument still would not have changed the outcome of the original proceeding. While P.B-H. claims that she was unaware that she needed to advise this agency that she needed an accommodation, a review of her application indicates, where it asks if she needed an American with Disabilities (ADA) accommodation for the subject test, she answered "No." Therefore, P.B-H. also does not meet the second threshold for reconsideration as no clear material error has occurred. Accordingly, there is no basis to disturb the Commission's original decision and her request for reconsideration is denied.

ORDER

Therefore, it is ordered that the request 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 11TH DAY OF OCTOBER, 2023

Allison Chris Myers

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Chairperson
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