



**STATE OF NEW JERSEY**

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

In the Matters of Herbert Miles,  
Medical Security Officer 3  
(PS5107H), Ann Klein Forensic  
Hospital and Medical Security Officer  
3 (S0039E), Statewide

Eligibility Appeals

CSC Docket Nos. 2024-2516 and  
2023-2780

**ISSUED: June 10, 2026 (KMG)**

Herbert Miles appeals the determination of the Division of Agency Services (Agency Services) which found that he was not eligible for the promotional examination for Medical Security Officer 3<sup>1</sup> (PS5107H), Ann Klein Forensic Hospital, and the open competitive examination for Medical Security Officer 3 (S0039E), Ann Klein Forensic Hospital. Since these matters concern similar issues, they have been consolidated herein.

**PS5107H Examination**

By way of background, the Medical Security Officer 3 (PS5107H) examination was announced with a closing date of March 21, 2024, and was open, in relevant part, to applicants who possessed three years of experience in work involving the treatment, care and custody of patients or residents requiring medical security, one year of which shall have been in a supervisory capacity. In his application for the PS5107H examination, the appellant indicated, in relevant part, that he served provisionally, pending promotional examination procedures, in the subject title<sup>2</sup> from

<sup>1</sup> The title name changed from Supervising Medical Security Officer to Medical Security Officer 3, effective February 21, 2026. The new title will be used in this decision.

<sup>2</sup> Agency records indicate that the appellant received a provisional appointment, pending promotional examination procedures, to the title of Supervising Medical Security Officer, December 30, 2023. He was returned to his permanent title of Senior Medical Security Officer, effective September 6, 2025.

December 2023 to the closing date; and as a Senior Medical Security Officer<sup>3</sup> from March 2014 to December 2023. The appellant indicated, in relevant part, that as Medical Security Officer 3, he assigns and instructs Medical Security Officers (MSO) engaged in providing treatment for patient or resident care; supervised MSOs in the identification of patient or resident behavior patterns; supervised the work operations and/or functional programs; and was responsible for recommending the hiring, firing, promoting and disciplining of employees. As a Senior MSO, the appellant indicated, in relevant part, that he was responsible for the safety of patients, visitors and professional staff in a maximum-security psychiatric facility for violent offenders; enforced procedural and safety protocols in the milieu of those with mental illness; trained in verbal counseling, de-escalation and physical restraint of non-compliant patients in accordance with procedures; and trained and supervised new recruits and returning MSOs. Based on the foregoing, Agency Services credited him with four months of applicable experience for his provisional service in the subject title. However, it did not credit any of his other listed experience. In particular, Agency Services noted that for his service as a Senior MSO, the appellant failed to indicate that his responsibilities included work involving the care and treatment of patients or residents requiring medical security. Therefore, Agency Services determined that he lacked two years and eight months of applicable experience, which included eight months of the required supervisor experience. It is noted that 19 of the 42 applicants were admitted to the written examination which was held on January 16, 2025. The resulting eligible list of 17 names, promulgated on April 3, 2025 and expires April 2, 2027. Seven appointments were made from the one certification that was issued, and seven eligibles currently remain active on the PS5107H eligible list.

### **S0039E Examination**

The Medical Security Officer 3 (S0039E) examination was announced with a closing date of January 23, 2023, and was open, to applicants who possessed three years of the above-noted experience. On his application, the appellant indicated, in relevant part, that he served as a Senior Medical Security Officer from March 2014 to January 2023. The appellant indicated that he was responsible for the safety of patients, staff and visitors; investigate losses, vandalism, assaults and other criminal activity; responded to emergency situations; and that he was “involved in the treatment, care, and custody of patients/residents requiring medical security.” The appellant further noted that he had relevant supervisory experience as a department supervisor with Home Depot, and as a Construction Operations Supervisor, Operations and Maintenance Supervisor, U.S. Army Recruiter, Senior Personnel Supervisor and as a Construction Engineering Supervisor for the United States Army. Based on the foregoing, Agency Services credited the appellant with more than enough general experience. However, it did not credit him with any applicable

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<sup>3</sup> Agency records indicate that the appellant received a regular appointment to the title of Senior Medical Security Officer, effective November 14, 2015.

supervisory experience. It is noted that 12 of the 55 applicants were found eligible. The resulting list of 12 names promulgated on May 11, 2023 and expired on May 10, 2026. Two certifications were issued from this eligible list, but no appointments were made.

On appeal to the Civil Service Commission (Commission), the appellant asserts that he possesses approximately nine years of relevant general experience as a Senior Medical Security Officer at Ann Klein Forensic Hospital, 16 months of supervisory experience as a Supervising Medical Security Officer, and 22 years of active-duty military service. The appellant asserts that he possesses more than the required one year of relevant supervisory experience, as he currently supervises all the applicants on the current eligible list. The appellant further claims that his experience as a Construction Engineer Supervisor while serving in the United States Army, should be considered sufficient supervisory experience. Finally, the appellant raises concern that the system Agency Service's used to assess the qualifications of applicants is not functioning properly, or there is a level of "double standard" when assessing applicants.

### CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) requires applicants to possess all the requirements specified in an announcement for a promotional examination by the closing date. *N.J.A.C.* 4A:4-2.6(a)2 provides, in pertinent part, 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.

Regarding the appellant's general experience, Agency Services correctly determined that the appellant had sufficient general experience as of the Medical Security Officer 3 (S0039E) closing date. Regarding the Medical Security Officer 3 (PS5107H) examination, it is noted that Agency Services credited the appellant with only four months of general experience, based on what he wrote on his application and resume for the PS5107H examination. However, based on the clarifying information submitted on appeal, the appellant possesses sufficient general experience.

With regard to the appellant's supervisory experience, it must first be noted that the appellant was not serving provisionally in the title of Supervising Medical Security Officer as of the January 23, 2023 closing date for the S0039E examination. However, regarding the PS5107H examination, it is noted that Agency Services correctly credited the appellant with four months of supervisory experience while serving provisionally in the subject title as of the March 21, 2024 closing date.

Moreover, Agency Services correctly determined that as of both closing dates, the appellant's other indicated supervisory experience was not applicable as it did not have as its primary focus supervision in work involving the treatment, care and custody of patients or residents requiring medical security. In this regard, although the appellant claims that his experience as a Construction Engineer Supervisor satisfies the supervisory experience requirement, it must be noted that to be considered qualifying supervisory experience, such experience must have been performed with a focus on the treatment, care and custody of patients or residents requiring medical security. *See In the Matter of Karen Conti* (CSC, decided April 19, 2017) (Commission noted that an experience requirement in an announcement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they primarily performed all those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience). Consequently, his experience as a Construction Engineer Supervisor does not satisfy the requirement.

Additionally, in order for an appellant to indicate sufficient supervisory experience they would need to demonstrate that they were responsible for ensuring that tasks that were assigned to subordinates were efficiently accomplished; independently assign and distribute work to subordinate employees; provide oral or written task instructions and maintain the flow and quality of work within a unit in order to ensure timely and effective fulfillment of objectives. Supervisors are also responsible for making available or obtaining materials, supplies, equipment, and/or plans necessary for particular tasks. They provide on-the-job training to subordinates when needed and make employee evaluations based on their own judgment. They have the authority to recommend hiring, firing, and disciplining employees. Leading lower-level staff is not equivalent to supervisory duties, which involve not only being in a leadership position, but responsibility for overseeing the work of other staff, and composing and administering formal performance reviews for subordinates. Training and ensuring that assigned tasks are completed efficiently would only be considered part of supervisory functions and more consistent with that of a lead worker. *See In the Matter of Phillip Beesley, et al.* (MSB, decided March 27, 2001) and *In the Matter of Vincent Gimmelli* (MSB, decided June 9, 2004). In this matter, the appellant has failed to indicate that as a Senior MSO he was responsible for formal performance reviews of subordinate staff, and as such, the description of the appellant's duties is more consistent with lead worker duties. Therefore, his experience as a Senior MSO does not satisfy the supervisor experience requirement.

Further, although the appellant does have an extensive and admirable military service record, the responsibilities of that experience did not have the necessary responsibilities, as its primary focus. Accordingly, the record reflects that the appellant did not meet the requirements for the title under test, and there is no basis to disturb the determination of Agency Services.

Finally, regarding the appellant's concern that the assessment of applicants is not functioning or a level of "double standard" exists when assessing applicants, there is no evidence in the record to support this claim. In this regard, other than his mere claim, the appellant has failed to present any evidence that establishes specific individuals' listed experience was false or that this agency's determination of eligibility for the subject examination was improper.

**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 10<sup>TH</sup> DAY OF JUNE, 2026



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Mary Cruz  
Acting Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Shannon L. Dalton  
Director  
Division of Appeals & Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

c: Herbert Miles  
Cheryl Manson  
Division of Agency Services  
Records Center