



## STATE OF NEW JERSEY

In the Matter of Deaf and Hard of Hearing Specialist Trainee	:	<b>FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION</b>
CSC Docket No. 2024-1532	:	Allocation to Non-competitive Division
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**ISSUED: February 7, 2024 (SLK)**

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The Division of Agency Services (Agency Services) requests the creation of the title, Deaf and Hard of Hearing Specialist Trainee, and that it be allocated to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*.<sup>1</sup>

By way of background, the Department of Human Services requested the creation of the following new title series for the standalone title, Deaf and Hard of Hearing Specialist (64890, P22). The existing standalone title will become Deaf and Hard of Hearing Specialist 2. The additional titles are being created to provide the Division of the Deaf and Hard of Hearing (DDHH) the ability to ensure eligible residents receive the necessary assistance from experienced and certified staff. The four-title series will ultimately help eliminate the obstacles the DDHH is currently facing with recruitment and retaining the best and most knowledgeable employees. Based on the duties and requirements outlined in the job specifications, the class

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<sup>1</sup> Agency Services also requests the creation of a new associated title series, and the inactivation of several titles. It is not necessary for the Civil Service Commission (Commission) to formally act on Agency Services' establishment of a title, whether it be for a new title or the inactivation of a prior title, since these functions have specifically been delegated to the Chairperson of the Commission or the designee by *N.J.A.C. 4A:3-3.3*, which, in this case, is Agency Services. See e.g., *In re Changes in the State Classification Plan*, 460 N.J. Super. 358 (App. Div. 2019). For the sake of completeness, the creation of the new associated title series is discussed herein. However, *N.J.A.C. 4A:3-1.2(c)* specifically requires the Commission to determine if a title should be placed in the non-competitive division of the career service.

codes of the new titles have been evaluated as follows with a NE12 requested work week:

Deaf and Hard of Hearing Specialist Trainee (NC-P95)

Deaf and Hard of Hearing Specialist 1 (C-P20)

Deaf and Hard of Hearing Specialist 3 (C-R25)

The Deaf and Hard of Hearing Specialist 3 title has been assigned to the "R" (Primary Level Supervisor) bargaining unit and the remaining titles have been assigned to the "P" (Professional) bargaining unit by the Governor's Office of Employee Relations.

Agency Services recommends that the trainee level of the series be allocated to the non-competitive division of the career service because it meets the criteria set forth in *N.J.A.C. 4A:3-1.2(c)*, which states "competitive testing is not practical due to the nature of the knowledge, skills, and abilities associated with the job." Specially, it indicates that the title has no experience requirements, and an apprentice-level appointee will be trained on the job; hence, there is no skill set to be tested.<sup>2</sup>

Additionally, Agency Services advises that it has provided notice and the opportunity to review the proposal to all collective negotiations units and all articulated issues have been reviewed and resolved. Finally, Agency Services requests that the changes specified become effective beginning on the first pay period following Commission approval of these actions.

## **CONCLUSION**

*N.J.A.C. 4A:3-3.7(a)* provides that trainee, apprentice, recruit, and intern titles may be established in State and local services to provide for entry level employment. *N.J.A.C. 4A:3-1.2(a)* states that the Commission shall allocate and reallocate career service titles between the competitive and non-competitive divisions. *N.J.A.C. 4A:3-1.2(c)* states that a job title may be placed in the non-competitive division on an ongoing or interim basis when it is determined that competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job.

Based on the foregoing, ample reasons exist to allocate the newly created Deaf and Hard of Hearing Specialist Trainee title to the non-competitive division of the career service. In this regard, the Deaf and Hard of Hearing Specialist Trainee title has no experience requirements as the skills required to perform the job are gained through on-the-job training. Given the lack of an experience requirement,

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<sup>2</sup> Although these job specifications are impacted by Executive Order 327 to allow for experience at the forefront of the requirements, applicants can still meet the requirements for the title with just a Bachelor's degree and no experience.

competitive testing is not practicable since the knowledge, skills and abilities associated with this title are evaluated during the mandatory training period. In this regard, trainees would be required to complete both a one-year training period as well as the required four-month working test period prior to appointment in the journeyman title.

## ORDER

Therefore, it is ordered that this request be granted. This action shall be effective the beginning of the first pay period following the issue date of this decision.

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 7<sup>TH</sup> DAY OF FEBRUARY, 2024



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