B-62

In the Matter of Katherine Hardy, Management Assistant (PC1386S), Monmouth County

CSC Docket No. 2015-2542

#### STATE OF NEW JERSEY

# FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

**Examination Appeal** 

ISSUED: APR - 2 2015

(CSM)

Katherine Hardy appeals the determination of the Division of Agency Services (Agency Services) which found that she was below the minimum requirements in experience for the promotional examination for Management Assistant (PC1386S), Monmouth County.

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The examination at issue was announced with specific requirements that had to be met as of the closing date of October 21, 2014 (see attached). The subject examination was cancelled on March 10, 2015 since the appellant was the only applicant.

The appellant indicated on her application that she was serving provisionally in the title under test from August 2014 to the closing date, October 2014. From October 2007 to July 2014 she was a Senior Library Assistant and from June 2006 to September 2007 she was a Library Assistant. The appellant indicated possession of a Bachelor's degree. Agency Services credited the appellant with three months of experience based on her provisional service in the title under test but determined that the remainder of her experience was not applicable. Therefore, the appellant would need nine months of experience to qualify for the examination.

On appeal, the appellant highlights her provisional experience in the title under test and explains that she assumed those duties in November 2013. In support, the appellant provides a copy of her performance evaluation containing a commendation verifying that she has taken on additional responsibilities consistent with the title under test since April 2012. Therefore, the appellant maintains that she is qualified for the subject examination.

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.

N.J.A.C. 4A:4-2.6(c) provides that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception.

### CONCLUSION

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. As of the announced closing date, the appellant only possessed three months of provisional experience in the title under test and would need an additional nine months of experience to qualify for the examination. Agency Services could not credit her experience as a Senior Library Assistant as it would constitute out-of-title work. However, the appellant has provided verification that she was assigned the required out-of-title duties since April 2012. Additionally, the appellant continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applicants. Therefore, good cause exists to accept the appellant's out-of-title work experience for eligibility purposes only and admit her to the subject examination.

# ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed for prospective employment opportunities only.

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

1<sup>ST</sup> DAY OF APRIL, 2015

Richard Williams

Member

Civil Service Commission

Inquiries and Correspondence Henry Maurer
Director
Division of Appeals
and Regulatory Affairs
Written Record Appeals Unit
Civil Service Commission
P.O. Box 312
Trenton, New Jersey 08625-0312

# Attachment

c. Katherine Hardy Frank Tragno, Jr. Kelly Glenn Joseph Gambino NEW JERSEY CIVIL SERVICE COMMISSION
COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

WEIGHT CODE: \*

SALARY: \$38,000.00 - \$90,000.00

CLOSING DATE: October 21, 2014

JURISDICTION CODE: T13000037

SYMBOL: PC1386S

TITLE: MANAGEMENT ASSISTANT

ISSUE DATE: October 01, 2014 TITLE CODE: 56492/ JPRNR7

JURISDICTION: MONMOUTH COUNTY

DEPARTMENT: LIBRARY

ONLY ON LINE APPLICATIONS WILL BE ACCEPTED FOR THIS ANNOUNCEMENT

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: One (1) year of experience performing complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures.

License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle, rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required license rests with the Appointing Authority.

#### IMPORTANT INFORMATION

DPF-256A \* Revised 03/09

<sup>1.</sup> NJAC 4A 4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.

<sup>2.</sup> YOU MUST COMPLETE YOUR APPLICATION IN DETAIL. Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.

<sup>3.</sup> This examination is open to full-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, the resulting list may be used to fill either work week position.

4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her

title SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.

5. In accordance with Public Law 2010 c.26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A.5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES. (i.e. Police, Fire, Corrections and Sheriff).

6. If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m.

<sup>6.</sup> If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: OAS.support@esc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.