



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE
ACTION OF THE
CIVIL SERVICE COMMISSION

In the Matter of Yolanda Miranda,
Clerk 4 (M0466T), Jersey City

CSC Docket No. 2016-3096

Examination Appeal

ISSUED: **DEC 14 2016** (SLK)

Yolanda Miranda appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the open competitive examination for Clerk 4 (M0466T), Jersey City.

The examination at issue was announced with specific requirements that had to be met as of the July 14, 2015 closing date (see attached). A total of 129 individuals applied for the subject examination. The test was administered on May 4, 2016 and 19 were deemed eligible. The eligible list expires on May 11, 2019.

Ms. Miranda indicated on her application that she was a Representative, Citizens' Complaints from 2013 to the July 14, 2015 closing date, she worked for Nico Construction from 2008 to 2013, a Billing Representative for Meadowlands Hospital from 2005 to 2008, a Custodial Representative for Hudson County Superior Court House from 2005 to 2008, a Clerk for Jersey City Parking Authority from 2004 to 2009, worked for Elenis Coffee Shop from 1995 to 2004, a Clerk for the Law Office of Patrick Walsh, and a Clerk for Legal Services Agency from 1985 to 1987. Personnel records indicate that she was a Representative, Citizens' Complaints from July 2013 to the July 14, 2015 closing date and a Building Maintenance Worker from October 2005 to November 2007. Agency Services credited Ms. Miranda with having seven years and three months of general experience, but determined that she lacked one year of experience at the Clerk 3 level.

On appeal, Ms. Miranda re-submits her resume. She highlights that she worked at the Resident Response Center, in the Jersey City Parking Authority's office for seven years, in a law office, and had a restaurant business. She indicates that she handled payroll for the restaurant and believes that this experience is at the level of a Clerk 4.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination 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.

In the present matter, Agency Services correctly determined that Ms. Miranda was not eligible for the subject examination as, although she met the general clerical experience requirement, she did not indicate that she had one year of experience performing duties at the Clerk 3 level. In reviewing the job specification for Clerk 3 under the State's classification plan, an incumbent in this position performs varied, complex clerical work involving the processing of documents in a variety of functions. Further, in reviewing the distinguishing characteristics for this title, complex clerical work requires knowledge of the organization's rules, regulations, policies and procedures. Employees frequently exercise independent judgment and make decisions concerning processes to be followed, the appropriateness of the information to be processed, and the actions taken. Work is performed independently requiring minimal review upon completion.


In reviewing the appellant's duties as a Representative, Citizens' Complaints, although she may have processed some documents, her primary responsibility was resolving resident complaints and not processing documents and therefore it is not applicable experience. In regard to her other experience where her primary responsibility was to process documents, she did not clearly explain how she was performing *complex clerical* duties as defined by the job specification's distinguishing characteristics. In reference to her duties operating a restaurant, while she performed some payroll duties, this was not her primary responsibility. In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. See *In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). Accordingly, the appellant has not met her burden of proof in this matter.

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 7th DAY OF DECEMBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

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and
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P.O. Box 312
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c: Yolanda Miranda
Kelly Glenn
Records Center



Job Announcements

Symbol: M0466T Title: **CLERK 4**

Issue Date: 06/23/2015

Closing 07/14/2015

Date:

Jurisdiction: JERSEY CITY

Salary: \$11,450.00 - \$44,763.00 Per Year

Num. of Positions: 2

Workweek: 37.50 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

1) Jersey City; 2) New Jersey

REQUIREMENTS:

EXPERIENCE: Three (3) years of experience in clerical work, one (1) year of which must have been performing duties at or equivalent to the Clerk 3 level.

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.

Customer Care and Technical Support: If you are having difficulty submitting your application online, customer care and technical support 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@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

IMPORTANT INFORMATION:

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
6. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq). Those claiming Veteran's Preference but have not yet received approval from DMAVA must pay the full application fee and may request a refund if the claim is approved at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.
7. Application fees submitted via personal check or money order must be postmarked within **five (5) business** days of submitting your application. If your fee is postmarked after five (5) business days, or is returned as invalid, you will be declared ineligible and denied admittance to the examination process.

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