

B-48



In the Matter of Maureen O'Rourke,
Auditor 2 (PS1534P), Department of
Law and Public Safety

CSC Docket No. 2016-1699

STATE OF NEW JERSEY
FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED: DEC 13 2016 (RE)

Maureen O'Rourke appeals the determination of the Division of Agency Services (DAS) which found that she did not meet the experience requirements for the promotional examination for Auditor 2 (PS1534P), Department of Law and Public Safety.

The subject promotional examination had a closing date of September 21, 2015, and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Auditor 3 OR to employees who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, including or supplemented by 21 semester hour credits in Accounting, AND two years of accounting or auditing experience. Applicants who did not possess the required education, but who had successfully completed the required 21 semester hour credits in Accounting, could substitute additional experience as indicated on a year for year basis with 30 semester hour credits being equal to one year of experience. Possession of a valid certificate as a Certified Public Accountant issued by the New Jersey State Board of Accountancy could be substituted for the Bachelor's degree. The appellant was found to be below the minimum requirements in experience. As the appellant was the sole applicant, the examination was cancelled on November 13, 2015.

On her application, the appellant indicated that she possessed a Bachelor's degree, and the required 21 specific credits. She listed six positions on her

application and resume: provisional Auditor 2; Assistant Buyer; Technical Assistant 1, Insurance; Principal Audit Account Clerk; Senior Clerk Typist; and Commissioner of the Township of Neptune Sewerage Authority. She was credited with ten months of experience in her provisional position, and found to be lacking one year, two months of experience in auditing or accounting.

On appeal, Ms. O'Rourke provides a lengthy description of her job duties in each of her positions with the State. In addition, she provides a further description of her position as a Senior Clerk Typist. Ms. O'Rourke believes that she meets the experience requirements for this examination. She also argues that the experience requirements do not specify clerical, technical or professional experience. Further, the acting Director submitted a letter on her behalf, stating that she was the best potential candidate for the position, and he believes she meets the announced requirements.

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.

CONCLUSION

Qualifying experience has the announced experience as the primary focus. The amount of time, and the importance of the duty, determines if it is the primary focus. The experience requirement was two years of accounting or auditing experience. This is professional work requiring the application of professional knowledge and abilities, as distinguished from either the desirability of such application or the simple possession of professional knowledge and abilities. Thus, only experience gained in professional level titles (a title requiring a Bachelor's degree or substituted experience) would be acceptable experience.

Ms. O'Rourke received credit for the experience in her provisional position. Her duties as an Assistant Buyer, a professional title, were in-title and did not have accounting or auditing as the primary focus. Purchasing, while in the financial field, is not accounting or auditing. Prior to that position, the appellant held paraprofessional and clerical titles, which are clearly inapplicable. The appellant lacked one year, two months of applicable experience as of the closing date.

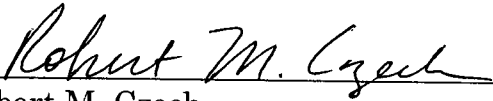
An independent review of all material presented indicates that the decision of DAS, that the appellant did not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support 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
THE 7th DAY OF DECEMBER, 2016



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