



STATE OF NEW JERSEY

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

In the Matter of Antonia Roy and
Ashley Rivera, Clerk 2, (PC2096B)
Salem County

Examination Appeals

CSC Docket Nos. 2021-461
2021-446

ISSUED: DECEMBER 21, 2020 (RE)

Antonia Roy and Ashley Rivera appeal the determinations of the Division of Agency Services (Agency Services) which found that they did not meet the experience requirements for the promotional examination for Clerk 2 (PC2096B), Salem County. These appeals have been consolidated due to common issues presented.

The subject examination announcement was issued with a closing date of February 21, 2020, and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the titles Clerk 1 or Clerk 1 Bilingual in Spanish and English and who met the announced experience requirement of one year of experience in clerical work. The appellants were found to be below the minimum requirements in experience. Two applicants were admitted to the examination, and the appointing authority has indicated that it has four vacancies.

Roy listed one position on her application, provisional Clerk 2, from October 2019 to the February 2020 closing date. She was credited for five months of applicable experience and was found to be lacking seven months of clerical experience. It is noted that official records indicate that she was a Clerk 1 from July 2018 to October 2019. On appeal, the appellant states that she began employment in July 2018, and she provides a list of clerical duties she has performed.

Rivera submitted an application with no experience listed. Official records indicate that she was a Clerk 1 from October 2018 to November 2019, when she was provisionally appointed to Clerk 2. On appeal, she states that she inadvertently missed or did not save her work experience on the application, and she provides a list of clerical duties.

CONCLUSION

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.

Initially, Agency Services correctly found the appellants to be ineligible for the subject examination since, according to their applications, they lacked the required experience. The online application process is automated and provides instructions to candidates on how to properly complete their applications. Also, the application states that, by clicking “yes,” the applicant certified that the employment history was complete and accurate. The On-Line Application System User’s Guide cautions applicants to carefully review the application to ensure that it is complete and accurate before submitting, and to complete the application in detail. It states that failure to complete the application properly may cause the applicant to be declared ineligible. The instructions under the experience portion of the application advise applicants to provide **all** employment information (not just current employment information), and if they have multiple positions, they need to make sure that they provide each one separately. The appellants should follow these instructions and properly complete any future applications for examinations.

In the instant matter, while the appellants’ Clerk 1 positions were not listed on their applications, the appellants remain in provisional positions in the announced title, they provided applicable clerical duties for their Clerk 1 positions in their appeals, they each possess at least one year of clerical experience, and the number of vacancies exceed the admitted candidates by two. Due to these unique circumstances, good cause exists to relax the provisions *N.J.A.C.* 4A:4-2.6(a) to accept the appellants’ Clerk 1 experience, and admit them to the examination.. However, this shall not set a precedence in any other matter.

ORDER

Therefore, it is ordered that these appeals be granted, and the appellants’ applicants 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 16TH DAY OF DECEMBER 2020

Deirdre' L. Webster Cobb

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Antonia Roy
 Ashley Rivera
 Kathleen Lockbaum
 Division of Agency Services
 Records Center