



STATE OF NEW JERSEY

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

Examination Appeal

In the Matter of Jessica Sutton,
Administrative Assistant 3
(PS4516U), Department of the
Treasury

CSC Docket No. 2022-224

**ISSUED: OCTOBER 12, 2021
(RAM)**

Jessica Sutton appeals the determination of the Division of Agency Services (Agency Services) that she submitted an incomplete application for the promotional examination for Administrative Assistant 3 (PS4516U), Department of the Treasury.

By way of background, the announcement for the subject examination was issued on March 1, 2021 and was open to employees in the competitive division who were serving as an Secretarial Assistant 3, Non-Stenographic, and who possessed an aggregate of one year of continuous permanent service as of the March 22, 2021 closing date. The requirements also included possession of a Bachelor's degree from an accredited college or university and one year of experience in a business or government agency providing administrative support services and/or coordinating work activities. Applicants who did not possess the required education could substitute additional experience as indicated on a year-for-year basis, with 30 semester hour credits being equal to one year of experience. It is noted that the appellant was the only applicant who filed for the subject examination.¹ Consequently, the examination had been cancelled, effective August 2, 2021, due to a lack of qualified applicants.

On her application, the appellant did not indicate possession of a Bachelor's degree or college credits, nor did she list any experience. Thus, upon Agency Services' review of the appellant's application, it found that the appellant needed five years of

¹ Agency records indicate that the appellant has been serving as an Administrative Assistant 3, provisionally pending promotional examination procedures, since November 7, 2020.

applicable experience. Moreover, it determined that the appellant submitted an incomplete application as she did not provide any work experience on her application or submitted a resume. Therefore, Agency Services could not determine the appellant's eligibility for the subject examination.

On appeal to the Civil Service Commission (Commission), the appellant acknowledges that her application "was missing information in the work experience section." However, she states that as a Secretarial Assistant 3, Non-Stenographic, with the Department of the Treasury from March 2016 to November 2020, her duties included clerical and administrative support for the Assistant Director. She further states that she reviewed and analyzed office procedures and organized schedules, interviews and conference meetings. She also performed data processing, ordered office supplies, and handled maintenance issues for the office. Additionally, the appellant provided support to personnel and the fiscal department pertaining to the budget, time and attendance, new hires, retirements, transfers, and leave records. In support of her appeal, the appellant submits her resume that outlines her work experience from November 2003 to November 2020.

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. *N.J.A.C.* 4A:2-1(f) states that prior to the announced closing date, an applicant may amend a previously submitted application. However, *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the instant matter, Agency Services could not determine the appellant's eligibility as she did not indicate her full employment history on her application, nor did she submit a resume with her application. However, a review of agency records indicates that the appellant had gained five months of provisional experience prior to the March 22, 2021 closing date, as she was appointed provisionally pending promotional examination procedures to the subject title effective November 7, 2020. A further review of the record indicates that the appellant had four years and eight months of experience from March 2016 to November 2020 as a Secretarial Assistant 3, Non-Stenographic, prior to the closing date. Thus, based on her title and the information the appellant presents on appeal, she had five years and one month of applicable experience in a business or government agency providing administrative support services and/or coordinating work activities prior to the closing date. It is noted that the Commission generally denies any documentation submitted on appeal indicating work in a setting that was not previously listed on the original application or resume. See *N.J.A.C.* 4A:2-1(f). The importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by

which Agency Services can make the initial determination whether to admit or reject an applicant. Agency Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner.

Nonetheless, the appellant possessed the required experience prior to the closing date. Additionally, she continues to serve provisionally in the title, and she was the only applicant who filed for the subject examination. Absent acknowledging her provisional experience and accepting the appellant's work experience submitted on appeal, no other eligible candidate can be appointed as the subject examination was cancelled. In this regard, the purpose of the Civil Service system is best served when more rather than fewer individuals are presented with appointments and/or advancement opportunities. *See Communications Worker of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998). Therefore, under these circumstances, good cause exists to relax N.J.A.C. 4A:4-2.6(a) and admit the appellant to the examination.

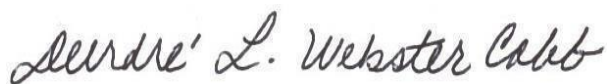
The Commission notes that the appellant's remedy is limited to the unique circumstances of this matter and does not provide a precedent in any other matter. Moreover, the appellant is cautioned that, for future examination announcements, she should ensure that any applications are fully and completely filled out, with past and present work experience, as her failure to do so will be cause for rejection from the selection process.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant be admitted to the subject examination.

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 6TH DAY OF OCTOBER, 2021



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Allison Chris 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: Jessica Sutton
Holly Foster
Division of Agency Services
Records Center