

B-10



STATE OF NEW JERSEY

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

In the Matter of Jennifer Rother,
Secretary, Board/Commission
(PM0427S), Brick

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Examination Appeal

CSC Docket Nos. 2015-345

ISSUED: **OCT 03 2014** (SLK)

Jennifer Rother appeals the determination of the Division of Selection Services (Selection Services) that she was below the minimum requirements in experience for the promotional examination for Secretary, Board/Commission (PM0427S), Brick.

The examination at issue was announced with specific requirements that had to be met as of the March 21, 2014 closing date (see attached). Ms. Rother was the only employee who applied for the subject examination that was cancelled due to a lack of qualified applicants.

Ms. Rother indicated on her application that she was provisionally serving in the subject title from October 2013 to the March 21, 2014 closing date, a part-time Committee Secretary, Architectural Review Committee from October 2013 to the March 21, 2014 closing date, a Keyboarding Clerk 2 from July 2011 to October 2013, a part-time Committee Secretary, Business and Finance Committee from January 2011 to October 2013, a part-time Committee Secretary, Redevelopment Committee from January 2011 to October 2013, a part-time Committee Secretary, Environmental Commission from January 2010 to October 2013, and a Keyboarding Clerk 1 from April 2009 to July 2011. The appellant also indicated that she possesses a Bachelor's degree. Selection Services credited Ms. Rother with eight months of experience based on her provisional experience in the title under test and pro-rating her part-time experience as a Committee Secretary, Architectural Review Committee, but did not credit her for her other experience. Therefore, it determined that the appellant lacked one year and four months of experience. It commented

that Ms. Rother's Keyboarding Clerk 1 and Keyboarding Clerk 2 experience was not applicable since there was no indication that she was organizing office clerical processes or procedures or working under an executive or administrative official and that her part-time Committee Secretary positions, if applicable, would be considered out-of-title work and, if accepted, would still leave the appellant short seven months of experience.

On appeal, Ms. Rother states that from April 2009 to September 2013, she worked in the appointing authority's administration office serving as the secretary to the Business Administrator and the Assistant Business Administrator and she provides examples of the clerical duties that she performed in this position. Additionally, she presents that while serving in the subject title as well as the secretary for three other committees, she also performs a variety of clerical duties.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. Under *N.J.A.C.* 4A:4-2.1(g), the Commission can accept clarifying information in eligibility appeals. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

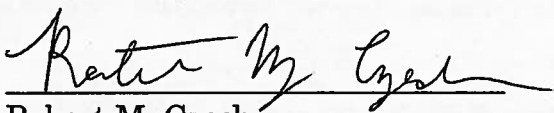
Initially, Selection Services correctly determined that the appellant did not meet the required experience as of the March 21, 2014 closing date as any relevant experience as a Keyboarding Clerk 1 or Keyboarding Clerk 2 would be out-of-title and therefore even if her pro-rated secretarial experience was applicable, she would still lack the required experience. However, on appeal, Ms. Rother clarifies that as a secretary in various positions as well as Keyboarding Clerk 1 and Keyboarding Clerk 2, that she has been performing clerical duties as a secretary to executive or administrative officials. Further, although Ms. Rother's experience does not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the totality of her varied levels of experience as a secretary and as a Keyboarding Clerk 1 and Keyboarding Clerk as far back as April 2009 warrants her admission to the subject examination. Additionally, Ms. Rother continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applicants. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the totality of Ms. Rother's experience, including her provisional experience after the closing date, and admit her to the subject examination. Accordingly, admitting the appellant to the subject examination will provide the appointing authority with an eligible list so that it can make a permanent appointment.

ORDER

Therefore, it is ordered that this appeal be granted, 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 1st DAY OF OCTOBER, 2014



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
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Civil Service Commission
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Trenton, New Jersey 08625-0312

Attachment

c: Jennifer Rother
Joanne Bergin
Dan Hill
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

SYMBOL: PM0427S	WEIGHT CODE: *
TITLE: SECRETARY BOARD/COMMISSION	SALARY: \$66,287.00 - \$78,235.00
ISSUE DATE: March 01, 2014	CLOSING DATE: March 21, 2014
TITLE CODE: 07419/ CYRQR4	JURISDICTION CODE: T15060008
JURISDICTION: BRICK	
DEPARTMENT: LAND USE AND COMMUNITY DEVELOPMENT	

RETURN COMPLETED APPLICATIONS TO:	ONLY ON LINE APPLICATIONS WILL BE ACCEPTED FOR THIS ANNOUNCEMENT
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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:

Experience: Two (2) years of clerical experience involving the organization of office clerical processes and procedures or as a secretary to an executive or administrative official in a public or private organization.

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 motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

NOTE: As of December 1, 2013, applications must be completed and submitted by 4:00 pm on the closing date.

IMPORTANT INFORMATION

- 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.
- 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.
- 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.
- 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**
- 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).
- SAVE ON POSTAGE! GO PAPERLESS! RECEIVE IMMEDIATE CONFIRMATION THAT YOUR APPLICATION HAS BEEN RECEIVED!** You can now file an application for this examination on-line. Visit the Civil Service Commission website at <http://info.csc.state.nj.us/epoa>. Select the promotional announcement and click on the link, "Click Here to file Online" at the top of the announcement. **You can now complete and submit your application and payment on-line to the Civil Service Commission and you will receive an immediate receipt confirmation!**

DPF-256A * Revised 03/09