

B-56



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Patricia Carlson,
Records Manager (PC0419S),
Monmouth County

Examination Appeal

CSC Docket No. 2014-426

ISSUED: OCT 03 2014 (SLK)

Patricia Carlson appeals the determination of the Division of Selection Services (Selection Services) that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Records Manager (PC0419S), Monmouth County.

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. Carlson was the only individual who applied for the subject examination that was cancelled due to a lack of qualified applicants.

On her application, Ms. Carlson did not list any college credits. Therefore, she needed nine years of applicable experience, per the substitution clause for education. As for experience, the appellant indicated that she was provisionally serving in the title under test from August 2013 to the March 21, 2014 closing date, a Keyboarding Clerk 4 from March 2008 to August 2013, a Keyboarding Clerk 3 from April 2006 to March 2008, a Keyboarding Clerk 2 from April 2005 to March 2006, a Keyboarding Clerk 1 from April 2004 to April 2005, and a SGA1 - Administrative Associate for AT&T from May 1985 to December 2003. Selection Services credited Ms. Carlson with seven months of experience based on her provisional service in the title under test, but determined that the remainder of her experience was either not in in the required area or the primary focus was not in

the required area to be applicable.¹ Therefore, Selection Services determined that the appellant lacked eight years and five months of experience.

On appeal, Ms. Carlson states that she has more than nine years of experience satisfactorily performing the required duties. Further, she submits a letter from the appointing authority confirming that she has been performing the job duties of a Records Manager since 2004. The appointing authority explains that it was an oversight on its part that it did not properly classify her position as Records Manager until August 2013. Also, it states that it was not Ms. Carlson's fault that her position was misclassified and no other candidates or employees will be negatively impacted if her out-of-title work is considered for her eligibility. On the contrary, the appointing authority asserts that she will be negatively impacted if her out-of-title work is not considered and therefore it is asking for a rule relaxation. The appointing authority also notes that Ms. Carlson has over 15 years of relevant experience in the private sector. Additionally, the appellant submits a letter from Rosemarie D. Peters, Esq., Monmouth County Surrogate, indicating that she has been a vital part of the records operation since April 2004.

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. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, it is noted that Selection Services correctly determined that the appellant was not eligible for the subject examination. The appellant was credited with seven months of experience based on her provisional experience in the subject title, and would need an additional eight years and five months of the relevant experience to establish eligibility. Any relevant experience gained as a Keyboarding Clerk would be out-of-title work and the primary focus of her work in the private sector was not in the required area. However, the appointing authority has verified that she has performed the required out-of-title duties since 2004, that it was an oversight on the appointing authority's part that the appellant's position was not properly classified until August 2013, and the examination was cancelled due to a lack of qualified applicants. Also, the appellant continues to serve provisionally in

¹ Although the appellant's application does not indicate that her primary duty as Keyboarding Clerk was records management, the resume submitted with her application does indicate that her primary duty as a Keyboarding Clerk was records management.

the title under test. Accordingly, good cause exists to accept the appellant's out-of-title work experience and her provisional experience after the closing date, for eligibility purposes only, and to admit her to the examination.

ORDER

Therefore, it is ordered that the 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 E. Brenner
Member
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

c: Patricia Carlson
Frank Tragno, Jr.
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: PC0419S	WEIGHT CODE: *
TITLE: RECORDS MANAGER	SALARY: \$40,000.00 - \$58,000.00
ISSUE DATE: March 01, 2014	CLOSING DATE: March 21, 2014
TITLE CODE: 06382/ CPRNR7	JURISDICTION CODE: T13000021
JURISDICTION: MONMOUTH COUNTY	
DEPARTMENT: SURROGATE	

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

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:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not meet the education requirement above may substitute additional experience as indicated below on a year-for-year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Five (5) years of experience in the planning and development of records management programs and procedures and/or the review, analysis and evaluation of record maintenance systems and recommendation for improved methods of operation.

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

1. 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.
2. **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.
3. 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.
4. 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.**
5. 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).
6. **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