



experience to report, they click 'No' to complete and submit their application. The note on the appellant's application indicates that "during the application creation process, employment information was not entered into the experience section." If additional documents were provided by the closing date, this information is reviewed in determining eligibility.

Also, by clicking "yes," the appellant certified that his employment history was complete and accurate. A copy of the application as it appears online is as follows:

Online application using the above link.


Once you submit your online application and application fee, you will not be able to go back to the application to add or modify your information. Your application fee cannot be refunded after your application is submitted.

I certify that the information I have provided in this application is complete and accurate.

**Warning: The New Jersey Civil Service Commission (NJ CSC) may refuse to examine, or certify after examination, any applicant who makes a false statement of any material fact per NJAC 4A:4-6.2.**

I understand that my application may be released to the Appointing Authority for the purpose of verifying information with regard to my qualifications.

I understand that once I submit my electronic application, I will not be able to make any changes to it. Any changes or additional information must be mailed to the NJ CSC by the announcement closing date.

 You have not provided any employment information in the Experience section. By clicking "Yes" you will be returned to the Experience section where you will be able to provide employment information. By clicking "No" you will be taken to the Payment section and will not be able to return to the Experience section.

The appellant was further informed that, pursuant to *N.J.A.C. 4A:4-2.1(f)*, any supplemental information received after the closing date cannot be considered, and that he submitted additional information on appeal that was not listed on his application. This is considered to be supplemental information, and cannot be accepted after the closing date.

The appellant responded that he thought his service of five years as a Messenger was sufficient, and he did not realize that he had to detail his job duties on the application. He states that the duties that he provided on appeal are not supplemental information, but clarify his job duties, and that he has performed the required experience during his time in that title. He requests to be allowed to take the examination.

*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

The appellant was denied admittance to the subject examination since he did not provide any experience on his application. Under *N.J.A.C. 4A:4-2.1(g)*, the Commission can accept clarifying information in eligibility appeals. However, *N.J.A.C. 4A:4-2.1(f)* provides that an application may only be amended prior to the announced closing date. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. See *In the Matter of Diana Begley* (MSB, decided November 17, 2004).

In addition, the appellant's permanent title, Messenger is in the non-competitive division, and the subject title, Senior Messenger, is in the competitive division. A competitive title is a title which, based on the nature of the knowledge, skills and abilities associated with the job, is subject to competitive examination procedures. See *N.J.A.C. 4A:3-1.2(b)*. In contrast, employees serving in a non-competitive title are appointed to the title without having to be tested due to the nature of the knowledge, skills and abilities associated with the job. As such, appointments to non-competitive titles are generally not subjected to competitive testing, and a promotional movement from a lower in-series non-competitive title to the related entry level competitive division title provides the first opportunity for Selection Services to evaluate if the applicant satisfies the open competitive requirements for the position. See *In the Matter of Tawana Johnson* (CSC, decided December 3, 2008).

As such, service in a particular title does not automatically establish that the applicant possesses the necessary qualifications for an examination. Applicants must demonstrate on their applications that the duties they perform provide them with the experience required for eligibility. See *In the Matter of Charles Klingberg* (Merit System Board, decided August 28, 2001). This is particularly true in the case of a promotional movement from a non-competitive title, to the next higher in-series competitive division title. Consequently, a promotional movement from a lower in-series non-competitive title to the related entry level competitive division title provides the first opportunity for Selection Services to evaluate if the applicant satisfies the open competitive requirements for the position. The Commission makes official determinations of eligibility for all prospective candidates for positions in State or local Merit System jurisdictions who are also required to pass a competitive examination and be certified in order to be considered for permanent employment in the competitive division of the career service. See *In the Matter of*

*Jennifer Napoli* (MSB, decided February 24, 2004). Thus, the application is utilized to screen the candidate pool to ensure that applicants meet the minimum experience requirements for each position. The appellant did not provide any experience on his application and certified that his application was complete and accurate. Accordingly, there is no basis to accept the appellant's supplemental information after the closing date.

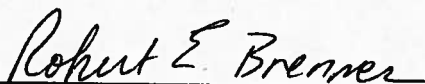
A thorough review of all material presented indicates that the decision of DSS, that appellant did not meet the announced requirements for eligibility by the examination closing date, is amply supported by the record and appellant provides no basis to disturb that decision. Thus, appellant has failed to support his 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 ON  
THE 22<sup>nd</sup> DAY OF OCTOBER, 2014



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