

B-21



STATE OF NEW JERSEY

In the Matter of Teresa Coico,  
Municipal Court Administrator  
(M0822R), Saddle Brook

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-2214

Examination Appeal

ISSUED: NOV 21 2014 (JET)

Teresa Coico appeals her score on the open competitive examination for Municipal Court Administrator (M0822R), Saddle Brook. The appellant's final average score was 85.00 and she ranked 9<sup>th</sup> on the eligible list.

The subject examination was processed as a "ranked unassembled" examination involving the evaluation of education, training, and experience as set forth on the candidates' examination applications. It is noted that the scoring standard gave credit for up to ten years of appropriate experience immediately preceding the closing date. In the matter at hand, the scoring standard on which credit was based was a fixed incremental scale utilizing the "banding" methodology. Under the band method of scoring, the total number of months/years of exact experience a candidate possesses *within a given range or "band"* determines his/her score. The band method is utilized when it has been determined that there is no need to show very fine distinctions in rank among candidates. For example, a candidate who has five years of specific type of experience may not be any more qualified than a person who has four years of the same experience.

Consistent with the above rationale, the scoring standard provided that applicants who met the residency and open competitive eligibility requirements received a base score of 70.00. Candidates who possessed two years and one month to four years of experience or 30 credits and one year and one month to three years of experience received a score of 75.00. Candidates who possessed four years and one month to six years or 30 credits and three years, one month to five years of

experience received a score of 80.00. Candidates who possessed six years and one month to eight years or 30 credits and five years, one month of experience to seven years of experience received a score of 85.00. Candidates who possessed eight years and one month of experience or 30 credits and seven years, one month of experience and above received a score of 90.00. A total of 96 applicants applied for the subject examination that resulted in an open competitive employment roster of 25 eligibles with an expiration date of March 5, 2017.

The appellant indicated on her application and resume that she possessed experience as a Human Resources Assistant from February 2012 to the closing date, as a Legal Assistant (Contractor) from September 2009 to December 2009, as a Court Administrator from January 1998 to January 2009, and as a Deputy Court Administrator from January 1991 to January 1998. The Division of Selection Services (Selection Services) credited the appellant with the maximum allowable credit for her experience as a Legal Assistant (Contractor) from September 2009 to December 2009, and for her experience as a Court Administrator from October 2003 to September 2013. Experience gained prior to October 2003 was not rated because it exceeded the ten year cut-off for rating such experience. Thus, her experience as a Deputy Court Administrator from January 1991 to January 1998 could not be rated. Further, the appellant's experience as a Human Resources Assistant was not rated since such experience did not satisfy the open-competitive requirements. Accordingly, the appellant's final average score was 85.00.

On appeal, the appellant asserts that she should have been ranked higher on the subject examination. Specifically, the appellant contends that she served as a Deputy Court Administrator from 1991 to 1998 and as a Court Administrator from 1998 to 2009, which combined gives her a total of 18 years of relevant experience. Moreover, the appellant states that her 18 years of experience as a Deputy Court Administrator and Court Administrator should be accepted so that she may be ranked higher on the eligible list. Thus, the appellant essentially argues that she should have been awarded full credit for her experience as a Deputy Court Administrator and as a Court Administrator.

### CONCLUSION

A review of the record demonstrates that the appellant's score and ranks are correct. With respect to an unassembled examination, it is long standing policy that only the ten most recent years of experience are evaluated for scoring purposes. As such, this examination only evaluated appropriate experience between October 2003 and September 2013. *N.J.S.A. 11A:4-1* provides considerable discretion to the Civil Service Commission in the development and scoring of examinations for positions in the career service. The adoption of the long-standing policy of evaluating a candidate's most recent ten years of experience in the course of the administration of unassembled or "Education and Experience" examinations is an example of this

discretionary authority. In adopting this policy, it was determined that there are so many changes in the methods and/or equipment in performing tasks in every area of employment that only experience gained within the ten year time period immediately prior to the closing date of the examination would be evaluated for credit. The Civil Service Commission and its predecessor, the Merit System Board, have upheld the appropriateness of the ten-year rule. *See In the Matter of Peter Smith* (Civil Service Commission, decided April 23, 1984), where it was determined that "there are sound reasons for limiting the evaluation to experience gained within the past ten years since rapid changes in certain fields make recent experience a more valid indicator of current knowledge than experience gained many years ago." The Commission further concluded that "the utilization of the ten year cut-off in grading the E&E examination ... is neither arbitrary nor discriminatory." *See also, In the Matter of John Gerolstein* (Commissioner of Personnel, decided October 24, 1996). The unassembled examination process takes into account the quality and quantity of experience an applicant possesses, as well as, if determined appropriate, education as well as seniority. Thus, the duration of an applicant's tenure alone does not determine his or her final ranking on an eligible list.

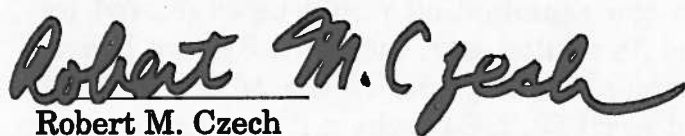
In the present matter, the appellant was awarded credit on the basis of her experience as a Legal Assistant (Contractor) from September 2009 to December 2009, as a Court Administrator from October 2003 to September 2013, and for her education (30 credits is equivalent to one year of experience). Thus, she was credited with the maximum permissible experience under the ten-year rule. With respect to the appellant's argument that she should have received a higher score than 85.00, the appellant could not be credited for her service as a Human Resources Assistant as the primary focus of the duties for that position were not those required for the title under test. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). Although the appellant served as a Deputy Court Administrator from 1991 to 1998 and as a Court Administrator from 1998 to September 2003, she could not be credited for that experience due to the ten year cut-off in grading experience as indicated above. Therefore, her final average score of 85.00 is correct.

### 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 19<sup>th</sup> DAY OF NOVEMBER, 2014**



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