



responsible for entering data in order to receive approval and reimbursement for State and Federal grants. Further, she highlights that she also analyzes data and generates reports for the Director to review. Additionally, she states that she is responsible for overseeing the data entry of employee attendance. She also indicates that she has taken steps to further her knowledge in the area of finance administration with career development courses at Rutgers.

## CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. *N.J.A.C.* 4A:4-2.1(g) provides that Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

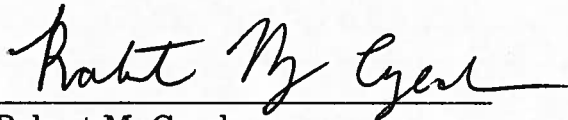
Initially, Selection Services correctly determined that the appellant did not meet the required experience as she did not specifically indicate on her original application that her primary function for her former employer was to perform clerical or data processing duties. In accordance with *N.J.A.C.* 4A:4-2.1(g), the Commission can accept clarifying information in eligibility appeals. Furthermore, *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). Although the information on her original application did not precisely mirror the requirements, Ms. Rivera clarified her application by submitting a letter from her former employer that demonstrates that she has performed clerical duties for over four years. Specifically, her former employer's letter clarified that the appellant primarily managed clerical tasks in her former position including preparing correspondence and sorting and filing documents. In other words, prior to her provisional appointment in the title under test, the appellant had performed the duties consistent with those required to establish eligibility for the title under test. Under these circumstances, the Commission finds that the totality of her experience warrants her admission to the subject examination. However, this remedy is limited to the unique facts in this situation and shall not be used as precedent in any other proceeding.

**ORDER**

Therefore, it is ordered that this appeal be granted, the appellant's application be processed, and if she achieves a high enough score, her name be added to the outstanding certification for current employment opportunities.

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 3<sup>rd</sup> DAY OF SEPTEMBER, 2014



Robert M. Czech  
Chairperson  
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: Yesenia Rivera  
Robert Kakoleski  
Dan Hill  
Joseph Gambino



## Job Announcements

Symbol: M0053S Title: **SENIOR DATA CONTROL CLERK**

Issue Date: 01/07/2014

Closing Date: 01/28/2014

Jurisdiction: JERSEY CITY

Salary: \$9,500.00 - \$40,803.00 Per Year

Num. of Positions: 1

Workweek: 37.50 Hours per week

Application Fee: \$25.00

**OPEN TO RESIDENTS OF:**

1) Jersey City; 2) Hudson County

**REQUIREMENTS:**

**EXPERIENCE:** Two (2) years of clerical or data processing experience.

**NOTE:** Satisfactory completion of a course of study in electronic data processing at a recognized college or university or accredited school of programming may be substituted for one year of work experience. If education is used to meet requirement, please submit a copy of your transcript with your application. Failure to do so will result in Ineligibility.

**Foreign transcripts must be evaluated by a recognized evaluation service. Please submit a copy of your evaluation with your application. Failure to do so will result in ineligibility.**

**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.

**IMPORTANT INFORMATION:**

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. If the announcement is open to residents of more than one jurisdiction, the eligible list will be ranked according to that residency sequence. Please click here for additional information.
6. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
7. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq) or their claim is approved by DMAVA at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.

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