



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Denise Brantley,  
Customer Representative 3, Public  
Utilities (S0543R), Board of Public  
Utilities

Request for Reconsideration

CSC Docket No. 2015-688

ISSUED: FEB 05 2015 (HS)

Denise Brantley requests reconsideration of the attached final administrative decision rendered on August 13, 2014, which denied the petitioner's appeal regarding her ineligibility for the open competitive examination for Customer Representative 3, Public Utilities (S0543R), Board of Public Utilities. A copy of that decision is attached hereto and incorporated herein.

By way of background, the subject examination was announced with a closing date of June 5, 2013 and was open to applicants who possessed a Bachelor's degree and one year of experience as a customer representative in the investigation and inspection of electric, gas, water, sewer, or telephone service and the adjustment of related customer complaints, or the maintenance of customer equipment, or some combination thereof. Applicants who did not possess the required education could substitute additional experience as indicated on a year for year basis. The Civil Service Commission (Commission) noted in the prior decision that, contrary to her assertions, the petitioner did not list any experience on her application and did not submit a resume with her application. The petitioner was credited with two years of experience based on her possession of an Associate's degree but was found to be lacking three years of applicable experience per the substitution clause for education. The eligible list of 17 names promulgated on February 13, 2014 and expires February 12, 2017. The list has been certified three times, and three appointments have been made.

In her request for reconsideration, the petitioner states that she was "sincerely certain" that her resume was attached to her application. She argues

that there appears to be a "potential" user-friendliness problem with this agency's electronic filing process and that, minimally, no electronic failsafe mechanism exists to notify the applicant that the intended attachments are not attached to the application prior to the actual submission step. The petitioner further states that the appointing authority does not routinely receive copies of electronically filed applications or notices of deficiencies in applications and did not receive such copy or notice in this particular case. She contends that such copying would have provided the appointing authority with an opportunity to ascertain that the application did not include the resume and to remedy the situation through notification to her or a direct submission of the resume to this agency. In addition, the petitioner avers that her substantial experience with Verizon Communications, Inc. and professional performance are assets to the appointing authority.

Agency records indicate that the petitioner received a provisional appointment, pending open competitive examination procedures, to the title of Administrative Assistant 3 effective December 27, 2014.

### CONCLUSION

*N.J.A.C.* 4A:2-1.6(b) sets forth the standards by which a prior decision may be reconsidered. This rule provides that a party must show that a clear material error has occurred or present new evidence or additional information not presented at the original proceeding which would change the outcome and the reasons that such evidence was not presented at the original proceeding. A review of the record reveals that the petitioner has not met the standard for reconsideration.

In the instant matter, the petitioner does not present new evidence or additional information that would change the outcome of her case, nor has she shown that a clear material error occurred. Although the petitioner essentially reiterates the assertion made in the prior decision that she included a resume with her application and also argues that this agency's electronic filing process presents a "potential" user-friendliness problem, these statements are not substantive evidence showing that the petitioner actually submitted a resume with her application. Moreover, this agency provides sufficient instructions to all applicants with respect to filling out examination applications in its "Online Application System (OAS) User Guide," which includes instructions on submitting supporting documentation. While the petitioner contends that a practice of copying electronically filed applications to the appointing authority could have remedied the situation, examination applications are, as a general matter, confidential. See *N.J.A.C.* 4A:4-2.1(h). It would also be impractical to provide appointing authorities with copies of electronically filed applications given the volume of such applications received by this agency. Regardless, it is incumbent upon applicants to unambiguously indicate relative experience on the application and clearly demonstrate that their experience matches that required in the announcement. See

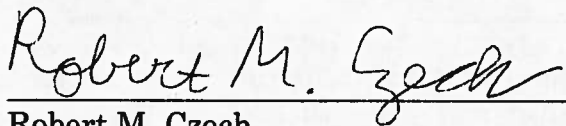
*In the Matter of Marcella Longo* (MSB, decided November 4, 2004). Finally, since the petitioner did not include any experience with her application, her description of her work experience remains an amendment that cannot be considered after the closing date. *See N.J.A.C. 4A:4-2.1(f)*. Accordingly, the petitioner has not presented a sufficient basis for reconsideration of the Commission's prior decision.

**ORDER**

Therefore, it is ordered that this request for reconsideration 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 4<sup>TH</sup> DAY OF FEBRUARY, 2015



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

**Attachment**

- c. Denise Brantley
- Linda Alford-Fennell
- Kelly Glenn
- Kenneth Connolly
- Joseph Gambino

B17



**STATE OF NEW JERSEY**

**In the Matter of Denise Brantley,  
Customer Representative 3, Public  
Utilities (S0543R), Board of Public  
Utilities**

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

**CSC Docket No. 2014-1486**

**Examination Appeal**

**ISSUED: AUG 15 2014 (CAG)**

Denise Brantley appeals the determination of the Division of Selection Services (Selection Services) which found that, per the substitution clause for education, she was below the minimum requirements in experience for the open competitive examination for Customer Representative 3, Public Utilities (S0543R), Board of Public Utilities.

The subject examination was announced with specific requirements to be met as of the closing date of June 5, 2013 (see attached). The record indicates that there were 102 applicants for the subject examination with 38 candidates admitted to the written test and 17 eligibles on the employment roster. Two certifications were issued on February 18, 2014, with the first certification being cancelled due to an administrative error and three appointments made from the second certification.

On her application submissions, Ms. Brantley indicated possession of an Associate's degree with 60 credits from Katherine Gibbs School with 60 credits. Per the substitution clause for education, appellant needed a total of eight years of applicable experience. She failed to list any positions on her application. Selection Services credited appellant with two years of experience for her Associate's degree. However, it did not credit appellant with any additional applicable experience since she failed to list any positions. Therefore, it determined that, per the substitution clause for education, she lacked three years of applicable experience.

On appeal, Ms. Brantley argues that she filed a timely and complete application for the position including an accurate, complete, and compliant resume. She also argues that the "Reason for Ineligibility" is formulaic, vague, and unsupported by the facts set forth in her resume. In addition, she argues that she

surpasses the education and experience (E&E) requirements for the subject position and title based on her experience *alone*. Specifically, she argues that, as indicated on her application and resume, she was a Customer Representative for Verizon Communications, Inc. (Verizon) for 10 years which, per the substitution clause for education, meets the E&E requirements for the subject examination. Additionally, she argues that she is in complete compliance with one-half of the required higher education as indicated on her application and resume. Specifically, she argues that she indicated two years at Gibbs College and one year at Fairleigh Dickinson University without indicating specific credit totals. However, she states that she has 60 credits from Gibbs College and completed a non-credit paralegal program at Fairleigh Dickinson University. Therefore, she argues that she needs to substitute two years of experience for the education requirement. Further, she argues that she is an African-American woman in the provisional employment of an agency which has a very strong and well-delineated Affirmative Action/Equal Employment Opportunity program which is in full compliance and conformity with the State of New Jersey. Therefore, she argues that these policies demand that designated minorities be treated in an inclusionary, rather than exclusionary, manner which precludes any adverse personnel actions contrary to these policies. Moreover, appellant requests that she be determined eligible for the subject examination based on the information on her application and resume. Alternatively, she requests that, if a test is held prior to a decision regarding her appeal, that she be conditionally admitted to the subject examination. Finally, she argues that her qualifications were timely, clearly, and sufficiently put forward so as to demonstrate all relevant requirements for the subject examination.

Official records indicate that appellant was appointed as a provisional Customer Representative 3, Public Utilities, on May 18, 2013 and continues to serve in that title.

### CONCLUSION

Initially, it is noted that 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* (MSB, decided August 28, 2001). *N.J.A.C.* 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

*N.J.A.C.* 4A:4-2.1(f) provides that, prior to the filing date, an applicant may amend a previously submitted application.

In the present matter, a review of the appellant's application and related material clearly demonstrates that she failed to meet the requirements listed on the examination announcement by the closing date. In this regard, although appellant argues that she filed a timely and complete application for the position including an accurate, complete, and compliant resume, she did not list any experience on her

application, nor did she submit a resume with her application. Appellant also did not submit a resume on appeal. Although she argues that she has 10 years of experience as a Customer Representative for Verizon which, per the substitution clause for education, meets the E&E requirements for the subject examination, she failed to list this experience including her duties on her application submissions. She also failed to describe any duties in this position on appeal. Further, she failed to list her current provisional position including her duties on her application. Additionally, the subject examination is not an E&E as erroneously claimed by appellant, but rather, it was a written test as indicated above. Therefore, appellant was appropriately credited with two years of experience for her Associate's degree. Finally, a complete list exists with 18 eligibles for the subject examination with only three appointments made as indicated above, so there is no basis to relax the announced requirements.

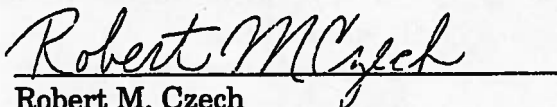
A thorough review of all material presented indicates that the determination of the Selection Services, that the appellant did not meet the announced requirements for eligibility by the examination closing date, is supported by the record. Therefore, appellant has failed to support her burden of proof 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 13<sup>TH</sup> DAY OF AUGUST 2014



Robert M. Czech  
Chairperson  
Civil Service Commission

**Inquiries  
and  
Correspondence**

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

**Attachment**

**c: Denise Brantley  
Linda Alford-Fennell  
Dan Hill  
Kenneth Connolly  
Joseph Gambino**



## Job Announcements

Symbol: S0543R Title: **CUSTOMER REPRESENTATIVE 3 PUBLIC UTILITIES**

Issue Date: 05/15/2013

Closing Date: 06/05/2013

Jurisdiction: STATE

Salary: \$43,839.98 - \$61,826.57 Per Year

Num. of Positions: 1

Workweek: 35 Hours per week

Application Fee: \$25.00

**OPEN TO RESIDENTS OF:**

New Jersey

**REQUIREMENTS:**

**EDUCATION:** Graduation from an accredited college or university with a Bachelor's degree.

**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.**

Applicants who do not possess the required education may substitute experience as indicated below on a year for year basis.

**EXPERIENCE:** One (1) year of experience as a customer representative in the investigation and inspection of electric, gas, water, sewer, or telephone service and the adjustment of related customer complaints, or the maintenance of customer equipment, or some combination thereof.

**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.

**SPECIAL NOTE:** Only on-line applications will be accepted for this announcement. Please disregard the first sentence in #2 under IMPORTANT INFORMATION below. You must select the online application option for this announcement.

**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/Vats/JobView.aspx> 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!

**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 11:59 p.m. on 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.

close window