

B-116



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE  
ACTION OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Deborah Fisher,  
Volunteer Services Assistant  
(PS9086S), Department of State

CSC Docket No. 2015-1436

Examination Appeal

ISSUED: FEB - 9 2015

(RE)

Deborah Fisher appeals the determination of the Division of Selection Services (DSS) which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Volunteer Services Assistant (PS9086S), Department of State.

The subject examination announcement was issued with a closing date of August 21, 2014, and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and one year of experience supervising an organized volunteer program. Applicants who did not meet the education requirement could substitute experience on a year-for-year basis. The appellant was found to be below the minimum requirements in experience. As she was the sole applicant, the examination was cancelled on November 27, 2014.

Ms. Fisher indicated that she did not possess a Bachelor's degree, but had 18 college credits which prorates to eight months of experience. As such, she was required to possess four years, four months of applicable experience. She listed seven positions on her application and resume: provisional Volunteer Services Assistant; Concession Stand Chairperson/Team Mom (part-time, 4 hours per week); Principal Clerk Typist; Social Committee Chairperson (part-time, 5 hours per week); Religious Education Teacher (part-time, 6 hours per week); Principal Clerk; and Principal Clerk/Senior Clerk. She was credited with one year, seven months of

experience in her provisional position and found to be lacking two years, nine months of qualifying experience.

On appeal, Ms. Fisher explains that she performed the duties of Volunteer Service Assistant since the year 2000 while in the title Principal Clerk Typist. She states that she transferred to the Department of State in 2010 when the Foster Grandparent program moved, and she continued with the same responsibilities that she had had while working in the Department of Human Services. She states that she recruited, conducted the hiring process, and supervised foster grandparents at six sites serving 115 children with special needs. She states that she assisted with planning, promoting, directing and supervising volunteer activities and programs, and served as the key staff person administering the payroll process for the volunteers. She states she was the liaison between the Governor's Office of Volunteerism/Foster Grandparent program and the Vineland Developmental Center, community agencies, schools, preschool programs, and senior citizen organizations, in all matters pertaining to volunteer programs. She states that she determined needs of the volunteers and provided guidance regarding social service assistance referrals, worked with volunteers who worked with senior citizens, assisted with interpreting how needs could be met in accordance with Federal policies and procedures, met with agencies interested in securing foster grandparents, and developed memoranda of agreement with requesting agencies. She states that she conducted outreach, and orientation and training programs for volunteers, assessed the effectiveness of the volunteer programs, prepared manuals, handbooks and guides, supervised daily activities of foster grandparents, handled all aspects of hiring, prepared for and assisted with Federal program monitoring visits, conducted site visits, arranged training classes, and attended recruiting events. She requests that her out of title work be accepted.

In addition, in a memo dated November 20, 2014, three months after the closing date, the Division of Classification and Personnel Management (CPM) submitted a request for acceptance of Ms. Fisher's out-of-title work experience to qualify her for a prospective promotional examination to the subject title. It states that the Department of State requests that her out of title work be accepted, and that it assigned her duties beyond those of Principal Clerk Typist due to business necessity. It explains that from October 2010 to the present, Ms. Fisher has over four years of out-of-title work experience, which is supported by a memorandum from the director, office of tourism, and performance evaluations from 2012. CPM concurs that there is a valid basis for out-of-title work sufficient for eligibility purposes.

*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. *N.J.A.C.* 4A:4-2.6(c) provides in pertinent part that 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, unless good cause is shown for an exception.

### CONCLUSION

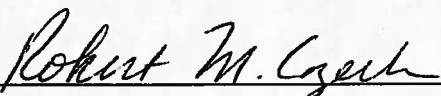
Initially, the appellant was correctly deemed to be ineligible for the subject examination since she lacked the minimum requirements in experience as out-of-title work is not accepted for promotional examinations. Acceptable experience has the announced experience requirement as the primary focus. The appointing authority has indicated that Ms. Fisher has performed out-of-title duties since October 2010 while in the title Principal Clerk Typist. The examination was not competitive, as Ms. Fisher was the sole applicant, and she remains in her provisional position. Thus, based on the documentation submitted and under these circumstances, good cause exists to accept Ms. Fisher's out-of-title work experience, and experience after the closing date, to satisfy the requirements for the subject examination. As of February 2015, Ms. Fisher has accrued four years, four months of out-of-title experience. Combined with her college credits, Ms. Fisher now meets the requirements for the subject examination.

### ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be processed.

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

  
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