

B-119



**STATE OF NEW JERSEY**

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

In the Matter of Tonia Ivery, Agency  
Services Representative 3 (PS8925L),  
Department of Banking and  
Insurance

**Examination Appeal**

CSC Docket No. 2015-1061

**ISSUED: FEB 09 2015 (SLK)**

Tonia Ivery appeals the determination of the Division of Selection Services<sup>1</sup> (Selection Services) that she did not meet the experience requirements for the promotional examination for Agency Services Representative 3 (PS8925L), Department of Banking and Insurance.

The examination at issue was announced with specific requirements that had to be met as of the July 21, 2014 closing date (see attached). A total of three individuals applied for the subject examination and two were deemed eligible. Certification PS141313 was issued containing the names of the two eligibles and one of the eligibles was appointed from the certification. The list expires on October 1, 2017.

On her application, Ms. Ivery indicated that she was provisionally serving in the title under test from February 2014 to the July 21, 2014 closing date. Personnel records indicate that the appellant was serving provisionally in the subject title from February 2014 to the June 21, 2014 closing date, a Principal Clerk Typist from September 2002 to February 2014, a Senior Clerk Typist from April 1999 to September 2002, a Clerk Typist from December 1998 to April 1999, and an Intermittent Clerk Treasury for the Department of Treasury from March 1989 to April 1999. Selection Services credited Ms. Ivery with six months of experience based on her provisional experience in the subject title, but there was no other

<sup>1</sup> Now known as Agency Services.

experience listed on her application. Consequently, it determined that the appellant lacked two years and six months of experience.

On appeal, Ms. Ivery states that at the time she was completing the online application, she was going out on leave for surgery and incorrectly answered the questions concerning her work experience. Therefore, the appellant submits her resume showing that she has more than 15 years of experience with the appointing authority and requests that the Civil Service Commission (Commission) consider all of her experience.

### CONCLUSION

*N.J.A.C. 4A:4-2.6(a)* provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C. 4A:4-2.1(f)* provides that an applicant may amend a previously submitted application only prior to the announced closing date. *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 was not eligible for the subject examination as she only listed her provisional experience on her application and did not list any of her other experience with the appointing authority. On appeal, Ms. Ivery indicates that since 1998 she has performed various clerical duties in different clerical typing titles for the appointing authority. The importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Selection Services can make the initial determination whether to admit or reject an applicant. Selection Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner.

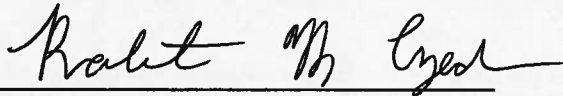
Although *N.J.A.C. 4A:4-2.1(f)* proscribes the amendment of an application after the closing date, the Commission notes several circumstances present that provide good cause to permit the appellant to amend her application in this particular matter and to accept her work experience for the appointing authority. In this regard, although Ms. Ivery's experience does not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the totality of her varied levels of experience in the subject title and various clerical typing titles as far back as 1998 warrants her admission to the subject examination. Additionally, the list is incomplete as there is only one remaining eligible on the list and the appellant continues to serve provisionally in the subject title. Accordingly, good cause is established to relax the provisions of *N.J.A.C. 4A:4-2.1(f)* and admit Ms. Ivery to the subject examination. It is noted that this determination is limited to the instant matter and does not provide precedent in any other matter.

**ORDER**

Therefore, it is ordered that the appeal be granted, and Ms. Ivery's application be processed for prospective employment opportunities only.

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 4th DAY OF FEBRUARY, 2015**



**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: Tonia Ivery  
John Walton  
Kelly Glenn  
Joseph Gambino**

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE  
**PROMOTIONAL ANNOUNCEMENT**



**\$25.00 PROCESSING FEE REQUIRED**  
 Make Check/Money Order Payable to NJCSC

SYMBOL: <b>PS8925L</b> TITLE: <b>AGENCY SERVICES REPRESENTATIVE 3</b> ISSUE DATE: <b>July 01, 2014</b> TITLE CODE: <b>56360/GQRXR4</b> DEPARTMENT: <b>BIA/BANKING &amp; INSURANCE</b> UNIT SCOPE: <b>L375 Centralized Licensing</b>	WEIGHT CODE: * SALARY: <b>\$37,118.00 - \$52,062.00</b> CLOSING DATE: <b>July 21, 2014</b> CLASS CODE: <b>15</b>
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APPLICATIONS MAY BE OBTAINED  
 FROM AND MUST BE RETURNED TO:

**ONLY ON LINE APPLICATIONS  
 WILL BE ACCEPTED  
 FOR THIS ANNOUNCEMENT**

Open to employees in the competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):

**Agency Services Representative 2**

Or to employees in the non-competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s), and meet the requirements listed below:

**Clerk**

Or to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who meet the requirements listed:

Experience: Three (3) years of experience providing information and support to customers or clients, responding to technical inquiries and/or complaints regarding products, services or programs, or collecting payments in a government or office setting.

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.

**IMPORTANT INFORMATION**

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
2. YOU MUST COMPLETE YOUR APPLICATION IN DETAIL. Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.
5. In accordance with Public Law 2010 c.26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.
6. SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.
7. If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

DPF-256A \* Revised 03/09