



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Donyale Harris and  
Stacey Hazel, Secretarial Assistant  
(M0599S), East Orange

Examination Appeals

CSC Docket Nos. 2015-1975 and  
2015-1976

ISSUED: **MAY 21 2015** (SLK)

Donyale Harris and Stacey Hazel appeal the determinations of the Division of Selection Services<sup>1</sup> (Selection Services) that they did not meet the experience requirements for the open competitive examination for Secretarial Assistant (M0599S), East Orange. These appeals have been consolidated due to common issues presented.

The examination at issue was announced with specific requirements that had to be met as of the July 28, 2014 closing date (see attached). A total of 71 individuals applied for the subject examination and 16 were deemed eligible. Certification OL150037 has been issued and it contains the names of the 16 eligibles. The certification has not yet been returned. The eligible list expires on December 24, 2017.

Ms. Harris indicated on her application that she was provisionally serving in the subject title from August 2013 to July 2014, a Digital Escalations Supervisor for Premiere Response from October 2011 to March 2013, a HR Benefits Specialist for Nesco Resources from August 2010 to March 2011, an Administrative Assistant (Volunteer) for the appointing authority from August 2007 to June 2008, and a Customer Account Executive for Comcast from December 2006 to June 2007. Additionally, Ms. Harris indicated that she completed 87 college credits and that her major course of study was Data Forensics. Selection Services credited her with two years and seven months of experience based on her provisional service in the

<sup>1</sup> Now known as the Division of Agency Services.

subject title, her HR Benefits Specialist experience, and her volunteer Administrative Assistant experience, but determined her other experience and her college credits were not applicable. As such, it determined that she lacked one year and five months of experience.

Ms. Hazel indicated on her application that she was an Administrative Assistant for 20 hours per week for New Jersey Transit from May 2014 to July 2014, a Contract Paralegal for Tower Legal Services from February 2014 to May 2014, a Senior Paralegal/Office Manager for Genia C. Philip Law Firm from November 2012 to July 2013, a Self-Employed Independent Consultant on a per diem basis from 2009 to 2012, a Paralegal for Sheindlin & Sullivan from October 2008 to June 2009, and a Paralegal for Hunt, Hamlin & Ridley from April 2007 to April 2008. Selection Services credited her with three years and one month of experience based on her experience as a part-time Administrative Assistant for New Jersey Transit, a Senior Paralegal/Office Manager for Genia C. Philip Law Firm, a Paralegal for Sheindlin & Sullivan, and a Paralegal for Hunt, Hamlin & Ridley, but determined her other experience and her Paralegal Studies Associate's degree were not applicable. Therefore, it determined that she lacked 11 months of experience.

On appeal, Ms. Harris presents that she omitted from her application her position as a Sales and Service Consultant for Verizon Communications. Ms. Harris provides that in this position she was responsible for clerical and technical services, mass communications, resolving customer inquiries and complaints, inputting, tracking, and correcting orders, acting as a technical resources for customers and team members, adapting to changing regulations, reviewing and improving consultant/client information spreadsheets, utilizing databases, maintaining customer complaints, assembling statistical information, maintaining customer information, adhering to office rules and practices, preparing client correspondence, and preparing meeting agendas. Ms. Harris asserts that her Associate's degree<sup>2</sup> consists of business courses which are similar to the Secretarial Science curriculum. Ms. Harris argues that the online application did not allow her to include all of her secondary experience and therefore she is asking that the information that she submits on appeal be considered.

Ms. Hazel argues that the course work for Paralegal Studies is equivalent to the course work for Secretarial Science and that Paralegals perform clerical duties on a daily basis. As such, she argues that she meets the requirements for the position.

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<sup>2</sup> Ms. Harris' application does not indicate that she possesses an Associate's degree.

## 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:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

A review of the record indicates that Selection Services correctly determined that the appellants were not eligible for the subject examination as neither appellant demonstrated that they had four years of applicable experience on their applications. In reference to Ms. Harris, under *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. However, *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). As such, the Commission cannot consider her experience as a Sales and Service Consultant for Verizon Communications as it was not listed on her original application. It is also noted that even if the Commission were to consider this experience, while the position does have some clerical responsibilities, clerical duties are not the primary focus of the position and therefore would not be applicable experience. Further, the fact that Ms. Harris completed 87 college credits in which some of those credits consisted of business courses which may be similar to a Secretarial Science curriculum is not a substitute for completing a two-year college level course in Secretarial Science.

With regard to Ms. Hazel, while Selection Services credited her with three years and one month of applicable experience, including some of her experience as a Paralegal, it correctly determined her experience as a Contract Paralegal for Tower Legal Services and as a per diem Independent Consultant<sup>3</sup> were not applicable as her duties in these positions were not primarily clerical. Further, in relation to her argument that her Paralegal Studies degree is equivalent to an Associate's degree in Secretarial Science, Ms. Hazel has not provided any evidence that an accredited higher institution would accept her Paralegal Studies degree as satisfying the major for a Secretarial Science degree. When candidates possess a degree, the accumulation of a set number of semester-hour credits in a course area (this may vary from 24 to 30) other than that for which the degree was conferred, at times,

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<sup>3</sup> Even if this experience was relevant, this experience could not be accepted as part-time or per diem work without specifying the number of hours cannot be evaluated.

may be used to satisfy the educational requirements. In order for this substitution to be accepted, the candidate must provide documentation from an accredited institution of higher learning stating that the school would accept the candidate's credits in the particular course area as satisfying the requirements for a major at that institution. This documentation from the institution must come from the Department Head or Chair associated with the major or course area in question. See *In the Matter of Jason Tesauro* (MSB, decided February 27, 2002).

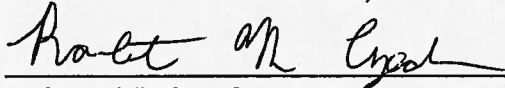
Therefore, there is no basis to disturb the decisions of Selection Services. Accordingly, the appellants have not met their burdens of proof in these matters.

**ORDER**

Therefore, it is ordered that the appeals 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 20<sup>th</sup> DAY OF MAY, 2015



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Henry Maurer  
Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
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P.O. Box 312  
Trenton, New Jersey 08625-0312

**Attachment**

c: Donyale Harris  
Stacey Hazel  
Michele Ralph-Rawls  
Kelly Glenn  
Joseph Gambino



## Job Announcements

Symbol: M0599S Title: **SECRETARIAL ASSISTANT**

Issue Date: 07/07/2014

Closing Date: 07/28/2014

Jurisdiction: EAST ORANGE

Salary: \$45,000.00 - \$55,000.00 Per Year

Num. of Positions: 2

Workweek: 35 Hours per week

Application Fee: \$25.00

**OPEN TO RESIDENTS OF:**

East Orange City

**REQUIREMENTS:**

**EXPERIENCE:** Four (4) years of experience in clerical work.

**NOTE:** Successful completion of a two-year college level course in secretarial science may be substituted for two (2) years of the above experience. If you are substituting education for two (2) years of the required experience, please upload a copy of your transcript with your application. Failure to do so will result in ineligibility.

**NOTE:** Foreign transcripts must be evaluated by a recognized evaluation service. Please upload 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 essential duties of the position.

**Customer Care and Technical Support:** If you are having difficulty submitting your application online, customer care and technical support 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](mailto: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.

**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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