

B-16



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Dora Berry,
Administrative Assistant 3
(PS0082R), Board of Public Utilities

Examination Appeal

CSC Docket No. 2015-2952

ISSUED: JUL 16 2015 (SLK)

Dora Berry appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirement for the promotional examination for Administrative Assistant 3 (PS0082R), Board of Public Utilities.

The examination at issue was announced with specific requirements that had to be met as of the February 21, 2015 closing date (see attached). The appellant was the only employee who applied for the subject examination that was cancelled due to a lack of qualified candidates.

Ms. Berry did not list any college credits on her application. Therefore, she needed five years of applicable experience. With regard to experience, she indicated on her application that she was a Training Clerk/Purchasing Clerk from January 2012 to the February 21, 2015 closing date, a Receptionist/Clerk from January 2001 to December 2012, and a Clerk/Economist Office from January 1989 to December 2001. Personnel records indicate that she was provisionally serving in the subject title from April 2014 to the February 21, 2015 closing date, a Principal Clerk Typist from January 2007 to April 2014, a Principal Clerk from November 1995 to January 2007, a Senior Clerk Typist from April 1992 to November 1995, and a Clerk Typist from January 1990 to April 1992. Agency Services did not credit her for any of her experience and determined that her experience in the title of Principal Clerk Typist was not at the level and scope required to establish eligibility. Therefore, Agency Services determined that she lacked five years of applicable experience.

On appeal, the appellant submits a joint statement from Linda Alford-Fennell, Director of Human Resources for the appointing authority, and Rene Demuynck, Chief Shop Steward, CWA Local 1037, on her behalf. They present that the appellant was on medical leave at the time of the promotional announcement and did not have access to certain relevant information. Therefore, they claim that she inadvertently understated the time she spent performing higher level duties and her Civil Service titles. They provide that the appellant commenced work in the Division of Administration in April 2008, first reporting to the Director and then to head of the Bureau of Offices. They outline the appellant's higher level duties and provide examples of how her duties relate to the knowledge and abilities and the examples of work for the job specification for the subject title. Therefore, they argue that the appellant has nearly seven years of applicable 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.

Initially, Agency Services correctly determined that the appellant did not meet the requirements for the subject examination. Since an incumbent in the Principal Clerk Typist title primarily does clerical work including typing of a complex and/or technical nature requiring knowledge of department laws, regulations, policies, and procedures as well as the frequent exercise of independent judgment, and/or has charge of the work of a clerical unit, Agency Services properly determined that this experience was not normally at the level and scope required to satisfy the requirements for the subject examination. However, while such experience is generally not considered to be at the level and scope required for the subject examination, it cannot be ignored that the job duties are similar to those required to establish eligibility for the title under test.

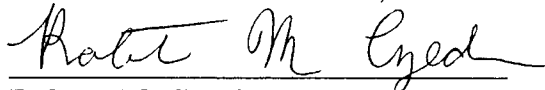
Additionally, in accordance with *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties performed in a given position that expands or enlarges on information previously submitted is considered clarifying. In this case, the appointing authority has clarified and confirmed that the appellant has performed various higher level administrative support services for the Director and then head of the Bureau of Office of the Division of Administration since April 2008 while serving as a Principal Clerk Typist. Additionally, the examination was cancelled due to a lack of applicants and the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause has been established to accept the appellant's experience in the Principal Clerk Typist title as qualifying and to admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and Ms. Berry'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 15th DAY OF JULY, 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: Dora Berry
Raquel Washington
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: PS0082R	WEIGHT CODE: *
TITLE: ADMINISTRATIVE ASSISTANT 3	SALARY: \$45,053.00 - \$63,538.00
ISSUE DATE: February 01, 2015	CLOSING DATE: February 21, 2015
TITLE CODE: 59903/NPRXR7	CLASS CODE: 19
DEPARTMENT: PUA/PUBLIC UTILITIES	
UNIT SCOPE: R682 Division of Administration & Office of Management Information Systems	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

Open 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 meet the requirements listed below:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute, in addition to the required experience indicated below, applicable experience on a year for year basis, with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: One (1) year of experience in a business or government agency providing administrative support services and/or coordinating work activities.

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