



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Cynthia Cordero,
Secretarial Assistant 1, Non-
Stenographic (PS1666D), Department
of Community Affairs

CSC Docket No. 2016-3455

Examination Appeal

ISSUED: DEC 21 2016 (WR)

Cynthia Cordero appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the requirements for the open competitive examination for Secretarial Assistant 1, Non-Stenographic (PS1666D), Department of Community Affairs.

The examination was announced with a closing date of November 21, 2015 and required, in part, possession of five years of experience in secretarial and administrative clerical work. The examination was cancelled on March 24, 2016, as the appellant, the sole applicant, was found ineligible.

On her application, the appellant indicated, in part, that she worked in the subject title from September 2015 to the closing date; as a Technical Assistant 2 from March 2014 to September 2015; as a Technical Assistant 3 from October 2004 to March 2014; as a Principal Clerk Typist from October 2003 to October 2004 and as a Senior Clerk Typist from September 2001 to October 2003. Agency Services credited the appellant with three months of experience in the subject title, but did not credit her experience in the other titles as it determined it was not relevant to the aforementioned requirements. As a result, Agency Services determined that she lacked four years and nine months of the required experience as of the closing date.

On appeal to the Civil Service Commission (Commission), the appellant describes in detail the duties she performed in the subject title and as a Technical Assistant 2, Technical Assistant 3, Principal Clerk Typist and Senior Clerk Typist and claims that her performance of these duties satisfy the experience requirement

for the subject examination. For example, she asserts that for the past 14 years, she has been responsible for processing Governor, legislator and Commissioner referrals, hearing requests, and subpoenas; providing secretarial support to various boards; acting as a secretary to a section chief and director; and coordinating the operations of the publications unit. In support of her appeal, the appellant submits copies of her past performance evaluations. She also submits letters from Edward Smith, Director, Division of Codes and Standards; Amy Frank, Section Chief, Division of Codes and Standards and Emily Templeton, Supervisor of Enforcement, Division of Codes and Standards which indicate that the appellant possesses the required five years of experience in secretarial and administrative clerical work.

Agency records indicate that the appellant continues to serve provisionally in the subject title.

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:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy eligibility requirements or for credit in the examination process.

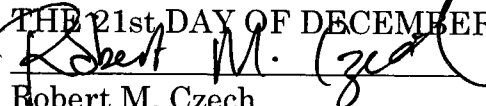
Agency Services determined that the appellant lacked four years and nine months of the aforementioned experience needed for the subject examination. However, the appellant indicated on appeal that she performed relevant duties in her previous titles. Accepting her supervisor's verification that the appellant performed the appropriate duties as of the closing date for the subject promotional examination, the appellant possessed, per the substitution clause, the required five years of applicable experience. However, all but three months of the appellant's experience she accumulated before her provisional appointment in the subject title constitutes out-of-title work. In this case, the appellant submits her supervisor's verification which, in relevant part, provides a detailed description of the applicable out-of-title experience gained while she was in her previous titles. Additionally, the subject examination was cancelled, as the only other applicant was also found ineligible. Moreover, the appellant continues to serve provisionally in the subject title. Accordingly, good cause exists to accept the appellant's out-of-title work experience, for eligibility purposes only, and admit her to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, and the cancellation of the examination be rescinded and Cynthia Cordero'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 21st DAY OF DECEMBER, 2016


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