

**STATE OF NEW JERSEY** 

In the Matter of Livier Sierra, Keyboarding Clerk 2 Bilingual in Spanish and English (M0091W), Morristown DOP Docket No. 2019-950	: : : : : : : : : : : : : : : : : : : :		DMINISTRATIVE ACTION OF THE SERVICE COMMISSION Examination Appeal	
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		ISSUED:	October 22, 2018 (RE)	

Livier Sierra appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the opencompetitive examination for Keyboarding Clerk 2 Bilingual in Spanish and English (M0091W), Morristown.

The examination had a closing date of February 5, 2018 and was open to residents of Morristown who possessed one year of experience operating an alphanumeric keyboard or typewriter to produce documents such as letters, memos, reports, charts, forms and other materials. Successful completion of a clerical training program with a minimum of 700 clerical training hours or 30 semester hour credits in secretarial science from an accredited college or university could be substituted for the experience. The appellant was found to be below minimum requirements in experience. As there were no admitted candidates, the examination was cancelled on September 28, 2018.

On her application, the appellant listed two positions, Keyboarding Clerk 2 Bilingual in Spanish and English, and Case Manager with Homeless Solutions, Inc. She was credited with seven months in her provisional position and therefore, she was found to be lacking five months of experience. On appeal, the appellant states that while a Case Manager she typed service plans daily, maintained files, and produced all types of documents.

## CONCLUSION

N.J.A.C. 4A:4-2.3(b)(2) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

In the present matter, the appellant was required to possess one year of experience and she received full credit for her provisional experience. While the appellant states that she performed clerical work and typing while as a Case Manager, this was not the primary focus of that position. The primary focus of that position was to provide intensive case management for women living in an emergency shelter program. Nonetheless, the subject examination is non-competitive, with no eligibles. The appellant is still serving as a provisional appointee and she has accrued more than five months of additional full-time experience since the closing date in February 2018. Based on the particular circumstances presented, good cause has been established to relax the provisions of N.J.A.C. 4A:4-2.3(b) to accept the appellant's additional experience beyond the closing date and admit her to the 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 17<sup>th</sup> DAY OF OCTOBER, 2018

Derrare' L. Webster Cabb

Deirdré L. Webster Cobb Chairperson Civil Service Commission

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