



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Examination Appeal

In the Matter of Sherry Mako, Administrative Assistant 1 (PS5769P), Department of Law and Public Safety

CSC Docket No. 2018-1525

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ISSUED: April 23, 2018 (RE)

Sherry Mako appeals her rank and score for the promotional examination for Administrative Assistant 1 (PS5769P), Department of Law and Public Safety. The appellant received an unassembled examination score of 70.000, a seniority score of 5.000, and 3 points for her PAR rating, for a final average of 78.000, and ranked fifth on the resultant eligible list, in a tie with another candidate.

The subject examination had a closing date of September 21, 2017, and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date, and who were currently serving in the title Administrative Assistant 2; **OR** to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title, and who met the announced requirements. These requirements included possession of a Bachelor’s degree from an accredited college or university, and three years of administrative experience in a business or government agency with responsibility for assisting in the direction and/or coordination of personnel, fiscal affairs, office administration and other support services. Applicants who did not possess the required education could substitute additional experience on a year for year basis. The appellant was admitted as she held the title Administrative Assistant 2 and possessed an aggregate of one year of continuous permanent service. Six candidates appeared on the eligible list, which has been certified once, and two appointments have been made.

This examination was processed as an unassembled examination, *i.e.*, candidates were ranked on the eligible list based on an evaluation of their education

and experience as listed on their applications. The unassembled examination standard conferred a base score of 70.000 for all eligible applicants. Additional credit was awarded for a Bachelor's degree and up to ten years of administrative experience in a business or government agency providing administrative support services and/or coordinating work activities. It is noted that no credit was given for experience gained more than ten years prior to the examination closing date, in this case, October 2007.

On her application, the appellant indicated no possession of college credits, and therefore she was required to possess seven years of applicable experience to meet the open competitive requirements for the subject title. She listed nine positions on her application, and her positions from October 2007 include Administrative Assistant 2 from January 2013 to the September 2017 closing date and Assistant Buyer from October 2007 to December 2013. Scoring credit can only be awarded when an applicant meets full open-competitive requirements, even if a promotional announcement is open to titles. As the appellant was currently serving in the title Administrative Assistant 2 but did not indicate seven years of qualifying experience, her UE score was 70.000.

On appeal, the appellant requested to know how the examination was scored as she believed she should have received a higher score. She also argued that her duties as an Assistant Buyer should be credited since the Examples of Work and Knowledge, Skills and Abilities sections of the job specification for Administrative Assistant 1 and 2 are related to those sections on the Assistant Buyer job specification. She highlights two duties on the Administrative Assistant 1 and 2 job specification, but does not provide corresponding duties on the Assistant Buyer job specification. Those duties are "collects data for and assists in the preparation of administrative aspects of the annual budget request," and "coordinates fiscal procedures within the organization unit including budget implementation and control, making sure that expenditures are in accord with allocation of funds." It is noted that these duties are not included on the Assistant Buyer job specification.

CONCLUSION

N.J.A.C. 4A:4-2.15(a)1 states that when education and experience are to be rated as part of an examination, they shall be graded through the use of scales prepared by the Chairperson or designee.

On appeal, the appellant argues that her experience as an Assistant Buyer should be scored as the duties of that position are similar to those of the Administrative Assistant title series. However, a review of the job specifications reveals that she was appropriately not credited for experience in this title. An Assistant Buyer assists a buyer or other higher-level professional in selecting, preparing orders for, and making arrangements for purchase of equipment,

materials, and supplies used by various departments. An Administrative Assistant assists an executive in performing and coordinating administrative support services. While Administrative Assistant and Assistant Buyer may both perform some duties related to the budget, this is not the primary focus of either position, and it is erroneous to select a single example of work or two and conclude that the experience is similar. In this case, the experience acquired as an Assistant Buyer clearly is not comparable to that of the Administrative Assistant 1, and the appellant was appropriately not credited for experience in this title for this examination. Since eligibility for all examinations is premised on the applicant satisfying the minimum open competitive requirements specified for particular title, the "Flat 70 Rule" provides those applicants who do *not* satisfy the minimum requirements for the title, but who are admitted to the test because of service in an in-series title or a title in a specified class code, an opportunity for promotional movement. *See In the Matter of Carinne Rivers* (CSC, decided April 15, 2009). The appellant appropriately received an unassembled examination score of 70.000 as she did not possess seven years of applicable experience per the substitution clause for education. No error in scoring is evident in the record and the appellant's application will not be amended after the closing date to credit her for experience as an Assistant Buyer.

A thorough review of the record indicates that the decision of the Division of Agency Services is amply supported by the record, and appellant provides no basis to disturb that decision. The appellant has failed to meet her burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal 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 18TH DAY OF APRIL, 2018



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