



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Amarilys Serrano,
Field Representative Housing
(Housing Assistance Program)
(S0254W), Statewide, and Technical
Assistant 3 Community Affairs
(PS5827D), Department of
Community Affairs

Examination Appeals

CSC Docket Nos. 2018-3237
2018-3238

ISSUED: August 20, 2018 (RE)

Amarilys Serrano appeals the determinations of the Division of Agency Services which found that, per the substitution clause for education, she did not meet the experience requirements for the open-competitive examination for Field Representative Housing (Housing Assistance Program) (S0254W), and she was not eligible for the promotional examination for Technical Assistant 3 Community Affairs (PS5827D), Department of Community Affairs, as she was not permanent in a competitive title. These appeals have been consolidated due to common issues.

The Field Representative Housing (Housing Assistance Program) (S0254W) announcement was issued with a closing date of March 7, 2018. The announced requirements were graduation from an accredited college or university with a Bachelor’s degree, and one year of experience in a housing assistance program or other housing related program which includes client intake review requiring participant eligibility determinations and/or field duties requiring facility eligibility determinations. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis. The appellant was found to be below minimum requirements in experience. Sixteen candidates passed the examination, which has had multiple certifications, but no appointments have yet been made.

The examination for Technical Assistant 3 Community Affairs (PS5827D), Department of Community Affairs had a closing date of October 23, 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 in any competitive title and

who met the announced requirements. The appellant was regularly appointed to the title Clerk in the non-competitive division on February 6, 2017, and provisionally appointed pending promotional examination to Senior Clerk on August 19, 2017. Senior Clerk is in the competitive division; however, the appellant has a provisional appointment in that title, and no permanent service as of the closing date in any competitive title. As such, she was found to be not permanent in the competitive division for this promotional examination. Two candidates appear on the eligible list, and one appointment was made.

On her application and resume for Field Representative Housing (Housing Assistance Program), the appellant indicated that she possessed over 105 credits, but did not compete a Bachelor's degree. In such situations, the maximum credit that can be awarded is 105 credits, which prorates to three years, six months of experience. She listed two positions, Senior Clerk, and Manager with Auto Global Processing. Official records indicate that she was a Senior Clerk from August 2017 to the March 7, 2018 closing date, and a Clerk from February 2017 to August 2017. The duties that she indicated that she performed as a Senior Clerk were briefing clients, social worker advising and analyzing cases. This is a very brief description that did not encompass the scope of the announced experience requirement. The second position is not in a housing assistance program or other housing related program. Thus, the Division of Agency Services found that she lacked one year, six months of applicable experience.

On appeal, the appellant provided a resume which retitled her Clerk and Senior Clerk positions as "Administrative Assistant Bilingual Spanish to Principal Clerk position – current position Senior Clerk," and she provided a different set of duties. She reiterates her college education, and explains that she repeated courses when she transferred. She states that she works with clients, tenants and landlords, and has experience with the public, but has not abandoned her clerical duties. She states that she qualifies new applicants from the waiting lists in Burlington, Cherry Hill and Camden.

For Technical Assistant 3 Community Affairs (PS5827D), Department of Community Affairs, the appellant states that she recently passed an examination for Senior Clerk and the record indicates that she was regularly appointed on June 18, 2018. She provides a description of her employment.

CONCLUSION

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

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

N.J.A.C. 4A:4-2.6(a)1 provides, in pertinent part, that applicants for a promotional examination must have one year of continuous permanent service for an aggregate of one year immediately preceding the closing date in a title or titles to which the examination is open.

The appellant was correctly denied admittance to both examinations. For the open-competitive examination for Field Representative Housing (Housing Assistance Program), the appellant needed one year, six months of applicable experience. Her experience as a Manager with Auto Global Processing was not in a housing assistance program or other housing related program which includes client intake review requiring participant eligibility determinations and/or field duties requiring facility eligibility determinations. Therefore, it was clearly inapplicable. Her experience as a Clerk and provisional Senior Clerk had clerical work as the primary focus. Initially, her duties were briefing clients, social worker advising and analyzing cases, which was insufficient as it did not encompass the scope of the announced experience requirement. On appeal, the appellant provided a different set of duties similar to client intake reviews, but the majority are clerical duties. She states that she qualifies new applicants from waiting lists, however, she also described this as asking for documents if they are missing. She has not clearly articulated that she makes participant eligibility determinations. Viewed holistically and considering her clerical work, the announced experience requirement is not the primary focus of the position. As such, she lacks one year, six months of qualifying experience.

As to Technical Assistant 3 Community Affairs (PS5827D), the appellant was regularly appointed to Senior Clerk, a competitive title, on June 18, 2018, almost eight months after the closing date, and she has not accrued one year of continuous permanent service. She is not eligible for this examination.

A thorough review of all material presented indicates that the decisions of the Division of Agency Services, that the appellant does not meet the announced requirements for eligibility by the examination closing dates, are amply supported by the record and the appellant provides no basis to disturb the decisions. Thus, the appellant has failed to support her burden of proof in these matters.

ORDER

Therefore, it is ordered that these 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 15th DAY OF AUGUST, 2018



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