



**STATE OF NEW JERSEY**

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

In the Matter of Timothy Read,  
Storekeeper 2, Department of  
Corrections

Examination Appeal

CSC Docket No. 2019-2204

**ISSUED:** April 22, 2019 (RE)

Timothy Read appeals the determination of the Division of the Agency Services (Agency Services) which found that he was below the minimum requirements in experience for a qualifying examination for Storekeeper 2.

By way of background, the appellant was appointed provisionally, pending a qualifying examination (PAQ), in the Storekeeper 2 title effective October 13, 2018. Agency Services processed a qualifying examination for the appellant, to determine if he possessed the necessary qualifications for the subject title and he failed. The requirements for Storekeeper 2 are three years of experience in stockroom work including the obtaining, recording, storing, safeguarding, and issuing varied types of equipment, materials, and supplies, and in maintaining records thereof. The appellant has not yet been returned to his permanent title, Institutional Trade Instructor 1, Cooking.

On his qualifying examination application, the appellant listed positions as Storekeeper 2, Institutional Trade Instructor 1, Cooking, Supervisor Cook, Concession Manager with Aramark, Food Service Manager with Acorn Food Service, Manager with The Coffee Exchange, Manager with Woodstock Farmer's Market, Area Manager with Kings Canyon Park Services, Operations Manager with Gametracker's Safaris Botswana, Camp Manager with bird safaris Botswana, and Camp Manager with Gametracker's Botswana. In its determination dated February 4, 2019, Agency Services credited the appellant with five months of qualifying experience in his PAQ position and determined that the remaining positions were inapplicable. No out-of-title work was found. Therefore, since the

appellant lacked two years, seven months of applicable experience, he did not meet the minimum requirements and he did not pass the qualifying examination for the subject title.

On appeal, the appellant argues that in his jobs overseas he was required to do varied duties that were not specialized. He provides a letter of recommendation from a Storekeeper 1 and submits a revised resume.

## CONCLUSION

At the outset, it must be underscored that a “Qualifying Examination” requires a candidate to demonstrate that he or she possesses the necessary experience for a particular title in order to effect a lateral, promotional, or demotional transfer to the title with permanent status. Since a determination of eligibility equates to a candidate passing this type of examination, and generally resulting in the candidate’s PAQ appointment being changed to a permanent appointment (RAQ), it is imperative that the candidate unambiguously indicate on the application his or her experience. This information is crucial, because it is essentially equivalent to correct responses on a multiple-choice, or “assembled” examination. Thus, when reviewing an appellant’s submissions in an appeal of a “fail” notice as a result of a “Qualifying Examination,” the Civil Service Commission (Commission) must primarily focus on the “test papers,” *i.e.*, the original application materials presented to Agency Services for review, and determine if an error was made in the scoring of the test or other noncompliance with Merit System rule and law. *See In the Matter of John Herrmann* (MSB, decided January 11, 2006), *aff’d on reconsideration* (MSB, decided July 19, 2006) and *In the Matter of Kathleen Gandy* (MSB, decided July 13, 2005). Against this backdrop, it is noted that *N.J.A.C. 4A:4-2.1(f)* specifically provides that examination applications may only be amended prior to the filing date. In the context of a Qualifying Examination, the filing date is considered the date on which the application was submitted to Agency Services, in this case, December 11, 2018. Thus, the information regarding additional experience he provided on appeal cannot be considered in this case. To do so would be tantamount to alteration of an answer sheet following the administration of an assembled examination. In this connection, it is important to note that the application cautions applicants that if an unassembled examination is held, failure to complete the application properly could lower the score or cause a candidate to fail. *See In the Matter of Palmer Askin, et al.*, (MSB, decided February 26, 2003). Thus, particularly in the Qualifying Examination process, a significant amount of additional information would not be considered clarifying information, which may be allowed, but rather, amended information, which is not permitted after the closing date of an examination. *See In the Matter of Annemarie Brahan and Dick Norris* (MSB, decided September 22, 2004) (Training experience not presented on original application but on appeal determined to be a significant addition to application and therefore amended, not clarifying information).

Further, for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). A review of the appellant's application reveals that he does not meet the experience requirements for Storekeeper 2. When an applicant indicates extensive experience in titles established under the State Classification Plan, it is appropriate to utilize the job specifications to determine the primary focus of the duties of incumbents serving in career service titles. In his Institutional Trade Instructor 1, Cooking position, the required experience was not a primary focus, and he was not working in a stockroom. His remaining positions did not have stockroom work including the obtaining, recording, storing, safeguarding, and issuing varied types of equipment, materials, and supplies, and maintaining records as the primary focus. Each position can have only one primary focus, and the duties performed most of the time and the importance of those duties, or the preponderance of the duties, identify the primary focus of the position.

On appeal, the appellant provides different duties for his positions that more closely align with the required experience. He referred to items for sale in shops and markets, and items for use in the kitchens, as stock on which he performed inventory. This may be true, but this is not stockroom work, and does not involve issuing varied types of equipment, materials, and supplies. Rather, he used such items to cook or prepare items for sale, or he sold the items. He focused the duties of his prior positions on stocking and inventory, when he clearly performed other duties that more closely matched the titles of the positions. For example, as Camp Manager for Bird Safaris Botswana he catered to hunting parties, trained others to cook, ordered food and supplies and was responsible for the safety of the clients and recordkeeping of trip data. In his appeal, that position includes only purchasing, transporting and storing items, managing inventory levels, and recording stock. There is no indication that he was cooking, teaching others to cook for the clients, going on safari into remote wilderness, and recording data regarding the animals shot. The revised duties have tailored this position, and the others, to look like stockroom work, which is clearly not the primary focus. The appellant lacked two years, seven months of qualifying experience when Agency Services issued its determination in February 2019.

Agency Services correctly determined that the appellant did not pass the subject qualifying examination. Therefore, he has failed to support his 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 17<sup>th</sup> DAY OF APRIL, 2019



Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Christopher S. Myers  
Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P. O. Box 312  
Trenton, New Jersey 08625-0312

c. Timothy Read  
William Saraceni  
Kelly Glenn  
Records Center