

to March 2019; Supervisor 1 MVC from January 2009 to January 2016; Supervisor 3 Motor Vehicles from January 2007 to January 2009; Customer Service Representative 2 with the MVC from January 2006 to January 2007; Customer Service Representative 2 with the MVC from January 2003 to January 2006; Emergency Medical Dispatcher with the Township of Sparta from January 2000 to January 2005; Assistant Coach Women's Softball with Sussex County Community College from May 2001 to August 2003; Customer Service Representative with the New Jersey Department of Motor Vehicles from September 1998 to January 2003; and United States Marine from January 1995 to January 1999. Agency Services credited Blaszak with the equivalent of two years and two months of non-supervisory experience for possessing the Associate's degree. Blaszak was also credited with four years and six months of supervisory experience based on her Coordinator MVC experience from July 2021 to September 2022 and from January 2016 to March 2019. Blaszak's experience as a United States Marine was not credited as she was not planning programs. The remaining listed positions were not credited as they did not involve budget work. Therefore, in a notice dated May 31, 2023, Agency Services deemed Blaszak ineligible since she lacked three years and four months of non-supervisory experience and thus did not meet the experience requirement set forth in the announcement.

On her application, Jarkowsky did not indicate possession of a Bachelor's degree. Therefore, pursuant to the substitution clause for education, Jarkowsky needed 10 years of experience in total. Jarkowsky indicated possession of 63 college credits. She also listed her experience¹ as Coordinator MVC from July 2021 to September 2022; Coordinator MVC from April 2019 to July 2021; Coordinator MVC from June 2016 to April 2019; Supervisor 2 MVC from November 2012 to June 2014; Supervisor 1 MVC from March 2008 to November 2012; Supervisor 3 Motor Vehicles from July 2003 to March 2008; and Records Technician 2 Motor Vehicles from September 1999 to July 2003. Agency Services credited Jarkowsky with the equivalent of two years and one month of non-supervisory experience for possessing the 63 college credits. None of the listed positions were credited as they did not involve budget work. Therefore, in a notice dated May 31, 2023, Agency Services deemed Jarkowsky ineligible since she lacked seven years and 11 months of experience, including three years in a supervisory capacity, and thus did not meet the experience requirement set forth in the announcement.

In her appeal to the Civil Service Commission (Commission), filed in early August 2023, Blaszak maintains that she is eligible and provides her resume. The resume reflects that her duties as a Supervisor 1 MVC included assisting the agency manager in budgeting. She also states that she never received her ineligibility notice.

In her appeal to the Commission, filed in early August 2023, Jarkowsky maintains that she is eligible. The MVC supports Jarkowsky's appeal and states that

¹ It is noted that Jarkowsky was provisionally appointed to the title under test on January 28, 2023.

someone there had previously advised her not to file an eligibility appeal and its belief that her prior experience is applicable.² The MVC indicates that the Division of Human Resources was unaware of that conversation. Jarkowsky presents no additional arguments regarding her duties.

CONCLUSION

Initially, the record reflects that the appellants did not file the instant appeals until early August 2023, more than two months after the May 31, 2023 date of the ineligibility notices. However, Blaszak indicates that she had not received her ineligibility notice, and the MVC indicates that someone there had previously advised Jarkowsky not to appeal in a conversation to which the Division of Human Resources was not privy. Under the circumstances, the Commission will accept the appeals as timely filed and proceed to the merits.

N.J.A.C. 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

Agency Services correctly determined that the appellants were initially not eligible for the subject examination. In this regard, a review of their applications reveals that they lacked, in pertinent part, experience involving budget work. On appeal, the appellants maintain that they possess sufficient experience. In order 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). The amount of time, and the importance of the duty, determines if it is the primary focus. An experience requirement that lists a number of duties that define the primary experience, requires that the applicants demonstrate that they primarily performed **all** of those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience. *See In the Matter of Jeffrey Davis* (MSB, decided March 14, 2007). Here, Blaszak provides clarifying information regarding her duties as a Supervisor 1 MVC. Such clarifying information is permitted pursuant to *N.J.A.C.* 4A:4-2.1(g). Specifically, Blaszak notes that in her role as a Supervisor 1 MVC, along with planning and administration of program duties, she assisted the agency manager in budgeting. Given that Blaszak had been employed as a Supervisor 1 MVC from January 2009 to January 2016, Blaszak possesses sufficient budget work experience and thus meets the experience requirement for the subject examination. However, based on a review of Jarkowsky's application and appeal, there is no basis to disturb Agency Services' decision as to her ineligibility.

² The MVC also states the experience requirement as planning, budgets, "and/or" administration of programs. However, at the time of the examination announcement, planning, budgets, "and" administration of programs was required. "[A]nd" did not change to "and/or" until after the examination closing date.

Accordingly, the record reflects that Jarkowsky did not meet the requirements for the title under test.³

ORDER

Therefore, it is ordered that Keri Blaszak's appeal be granted and her application be processed for prospective employment opportunities.

It is further ordered that Margarita Jarkowsky's appeal be denied.

This is the final administrative determination in these matters. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 20TH DAY OF SEPTEMBER, 2023



Allison Chris Myers
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Keri Blaszak (2024-247)
Margarita Jarkowsky (2024-251)
Dana Foraker
Angela LaMorte
Division of Agency Services
Records Center

³ Moreover, the Commission cannot utilize the experience requirements that were changed after the closing date. To do so at this juncture could exclude other employees who would have been eligible had the new requirements existed previous to the subject announcement. In essence, it would be potentially inequitable to both the current eligibles who met the old requirements and those who would have been eligible to apply under the new requirements if the new requirements were afforded to Jarkowsky. The Commission will not do so.