

B-43



In the Matter of Roxanne Padilla,  
Assistant Purchasing Agent  
(PM1923R), Jersey City School  
District

**STATE OF NEW JERSEY**

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

CSC Docket No. 2014-2187

Examination Appeal

ISSUED: **SEP 19 2014** (CAG)

Roxanne Padilla appeals the determination of the Division of Selection Services (Selection Services) which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Assistant Purchasing Agent (PM1923R), Jersey City School District.

The subject examination was announced with specific requirements to be met as of the closing date of November 21, 2013 (see attached). The record indicates that the subject examination was cancelled since appellant was the only applicant.

On her application submissions, Ms. Padilla did not indicate any college credits. Per the substitution clause for education, appellant needed a total of eight years of applicable experience. She listed her positions with Jersey City School District as a [provisional] Purchasing Agent, provisional Assistant Purchasing Agent, Administrative Clerk, Principal Clerk, Senior Clerk, and Account Clerk. Selection Services credited appellant with five years of applicable experience for her provisional appointments as a Purchasing Agent and Assistant Purchasing Agent. However, it did not credit appellant with applicable experience for the remainder of her positions. Therefore, it determined that, per the substitution clause for education, she lacked three years of applicable experience.

On appeal, Ms. Padilla submits a copy of her application submissions for review. She argues that she has worked for the Jersey City Public Schools since 1990 in which purchasing tasks as described in the job description for Purchasing Assistant have comprised the major part of all her job titles. She also argues that

she has completed the course work for Rutgers Center for Government Services Public Purchasing Program. In addition, she argues that she has served in the title of Purchasing Agent since December 19, 2008, as indicated by the sworn statements from Melissa Simmons, the former Business Administrator/Board Secretary, and Hermione McNeil, the Director of Human Resources, dated September 30, 2011, verifying that she served in the title of Purchasing Agent since December 19, 2008. Subsequently, a desk audit was conducted and her position was reclassified as Assistant Purchasing Agent effective January 12, 2013. She also submits a copy of the classification determination dated February 25, 2013 indicating that her permanent title was Administrative Clerk and she had been serving provisionally in the title of Purchasing Agent since December 19, 2008. However, the Division of Classification and Personnel Management determined that the preponderance of her duties and responsibilities of her position are covered under the title of Assistant Purchasing Agent. Finally, she argues that her 23 years of purchasing experience in the writing of purchase specifications and in the purchase of equipment, materials and supplies [as copied from the subject examination announcement] and completion of the Public Purchasing Program at Rutgers exceed the minimum requirements for the subject examination.

Appellant supplements her appeal with a letter of support from John T. M. Chester, Executive Assistant/Business Office. Mr. Chester states that, in the summer of 2004, appellant was selected to fill the vacancy of Administrative Clerk in the Executive Controller's Office to work closely in the management of the Purchasing Department thus freeing up the valuable time of the Executive controller to oversee the intricacies of the accounting function. Mr. Chester highlights appellant's knowledge and abilities and describes some of her research and assignments. He also states that appellant served as a resource to supply answers to inquiries and solutions to problems for senior level staffers. In addition, he states that she handled correspondence, answered phone inquiries, and helped to resolve disputes and was able to head off many problems with delivery dates, payments and discrepancies. Further, he states that she was given the task of creating/updating the district's purchasing manual and attended monthly and quarterly meetings with staff of various divisions. He indicates that her participation in these meetings allowed her to contribute and come away with an appreciation for internal controls and accounting principles. In summary, Mr. Chester refers to appellant's contributions and value while she served in the position of Administrative Clerk and verifies that he has reviewed appellant's resume and finds that it is a true picture of her service.

Official records indicate that appellant served as a provisional and permanent Account Clerk, Typing; provisional Senior Account Clerk, Typing; permanent Keyboarding Clerk 3; permanent Administrative Clerk; provisional Purchasing Agent; and provisional Assistant Purchasing Agent and is still serving in that title.

## CONCLUSION

Initially, it is noted that applicants must demonstrate on their applications that the duties they perform provide them with the experience required for eligibility. See *In the Matter of Charles Klingberg* (MSB, decided August 28, 2001). 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(c) provides that, except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

N.J.A.C. 4A:4-2.1(f) provides that, prior to the filing date, an applicant may amend a previously submitted application.

In the present matter, a review of the appellant's application and related material clearly demonstrates that she failed to meet the requirements listed on the examination announcement by the closing date. In this regard, although appellant argues that she has 23 years of experience, appellant's experience, other than her experience as a provisional Purchasing Agent and provisional Assistant Purchasing Agent, is not applicable since, in order for experience to be considered applicable, it must have as its **primary focus** full-time duties and responsibilities in the areas required in the announcement. See *In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). Appellant's prior work experience is not relevant since the primary focus of her positions was not experience in the writing of purchase specifications and in the purchase of equipment, materials and supplies in a large government or private agency. In addition, any applicable duties that appellant may have performed in her previous positions prior to December 19, 2008 would be considered out-of-title experience. Such out-of-title experience is generally not accepted for promotional examinations. In addition, although appellant submits a letter of support from Mr. Chester, he verifies that her duties in her position as an Administrative Clerk are accurately described on her resume. Therefore, appellant was appropriately credited with five years of applicable experience, and lacks three years of the required experience.

A thorough review of all material presented indicates that the determination of Selection Services, that the appellant did not meet the announced requirements for eligibility by the examination closing date, is supported by the record. Therefore, appellant has failed to support 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 17<sup>TH</sup> DAY OF SEPTEMBER 2014



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Henry Maurer  
Director  
Division of Appeals and  
Regulatory Affairs  
Written Record Appeals Unit  
Civil Service Commission  
P.O. Box 312  
Trenton, NJ 08625-0312

Attachment

c: Roxanne Padilla  
Rita R. Salley  
Dan Hill  
Kenneth Connolly  
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION  
COUNTY AND MUNICIPAL GOVERNMENT SERVICES  
**PROMOTIONAL ANNOUNCEMENT**



**\$25.00 PROCESSING FEE REQUIRED**  
Make Check/Money Order Payable to NJCSC

**SYMBOL: PM1923R**

**WEIGHT CODE: \***

**TITLE: ASSISTANT PURCHASING AGENT**

**SALARY: \$50,300.00**

**ISSUE DATE: November 01, 2013**

**CLOSING DATE: November 21, 2013**

**TITLE CODE: 00673/ WXRJR7**

**JURISDICTION CODE: N09060600**

**JURISDICTION: JERSEY CITY**

**DEPARTMENT: SCHOOL DISTRICT**

**RETURN COMPLETED APPLICATIONS TO:**

**ONLY ON LINE APPLICATIONS  
WILL BE ACCEPTED  
FOR THIS ANNOUNCEMENT**

**Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:**

**Education:** Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

**Applicants who do not possess the required education may substitute additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.**

**Experience:** Four (4) years of experience in the writing of purchase specifications and in the purchase of equipment, materials, and supplies in a large government or private agency.

**License:** Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle, rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

**IMPORTANT INFORMATION**

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
2. **YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
5. Applications must be postmarked by 11:59 pm on the closing date or application filing deadline listed above, or must be hand-delivered to the Civil Service Commission no later than 4:00pm on the closing date or application filing deadline listed above.
6. In accordance with Public Law 2010 c.26, **Veterans pay a reduced application fee of \$15.00** if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.** (i.e. Police, Fire, Corrections and Sheriff).
7. **SAVE ON POSTAGE! GO PAPERLESS! RECEIVE IMMEDIATE CONFIRMATION THAT YOUR APPLICATION HAS BEEN RECEIVED!** You can now file an application for this examination on-line. Visit the Civil Service Commission website at <http://info.csc.state.nj.us/epoa>. Select the promotional announcement and click on the link, "Click Here to file On-Line" at the top of the announcement. You can now complete and submit your application and payment on-line to the Civil Service Commission and you will receive an immediate receipt confirmation!

