

B-41



STATE OF NEW JERSEY

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

In the Matter of John Hanussak and
Kamei Harris, Representative Citizen
Complaints (M0051S), Jersey City

CSC Docket Nos. 2014-3182 and
2014-3210

Examination Appeals

ISSUED: SEP 05 2014 (SLK)

John Hanussak and Kamei Harris appeal the determinations of the Division of Selection Services (Selection Services) that they did not meet the experience requirements for the open competitive examination for Representative Citizen Complaints (M0051S), Jersey City. These appeals have been consolidated due to common issues presented.

The examination at issue was announced with specific requirements that had to be met as of the January 7, 2014 closing date (see attached). A total of 43 individuals applied for the subject examination that resulted in a list of 15 eligibles with an expiration date of June 11, 2017. The list was certified on June 6, 2014 containing the names of the 15 eligibles and is currently pending.

Mr. Hanussak's application did not indicate any work experience. On appeal, he submitted a resume that indicated that he was a Supervisor for Pershing LLC, Domestic Bond Interest Dividend Department from August 2001 to October 2013 and that he started with Pershing in March 1997, an ADR Clerk for Chase Manhattan Bank, Collections Department from May 1995 to March 1997, a Dividend Clerk for United States Trust Company, Collections Department from November 1991 to May 1995, and a Call Processing and Trading Support from August 1991 to October 1991. Personnel records indicate that he is a Clerk Driver for the appointing authority starting March 2014. Selection Services did not credit him with any experience since there was not any experience listed on his application. It commented that it emailed him indicating that a resume was

required. Consequently, Selection Services determined that he lacked one year of experience.

Ms. Harris' application indicated that she was a Representative Citizen Complaints from July 2013 to the January 7, 2014 closing date, an Administrative Assistant for Jersey City Public Works from October 2005 to May 2011, a Receptionist for Randolph Security from February 2004 to October 2005, and a Security Guard for SOS Security from July 2003 to February 2004. Personnel records indicate that she was a Building Maintenance Worker from November 2006 to July 2007 and a Receptionist from July 2007 to June 2011 for Jersey City and a Food Service Worker for the Jersey City School District from March 2002 to August 2003. Personnel records do not indicate the she was working in the subject title for the appointing authority. Selection Services credited her with seven months experience based on her experience from July 2013 to the closing date, but determined that her remaining experience was not applicable. Consequently, Selection Services determined that she lacked five months of experience.

On appeal, Mr. Hanussak states that during his 16 years working for Pershing, he handled complex issues which required skills in both interviewing and eliciting information from both staff and clients in order to do several things. This included helping customers fill out forms for financial benefits and gathering and compiling data on issues of concern in order to track and resolve issues. Additionally, he notes that he often interviewed clients to check the accuracy of information and to quickly resolve issues. He asserts that his over 23 years of work experience more than qualify him for the subject title. Mr. Hanussak also highlights that he has been a community activist and has been elected a Committee Person in Jersey City for five years. He maintains that in his elected position he performs the same functions of the Resident Response Center which is to help residents navigate municipal, county, and State government, complete forms, and resolve problems including vehicular and pedestrian safety, smart and meaningful development, and general cleanliness of the neighborhood.

Ms. Harris presents that she has now worked around a year in the title under test and that as a Receptionist for the Jersey City Department of Public Works, she basically performed the same duties except that now she helps citizens navigate every department, where at Public Works she primarily helped constituents on issues concerning potholes, trees, parks, and other Public Work issues. She asserts that in her current position she is using the same interviewing and eliciting information skills that she used in her position with Public Works.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing

date. *N.J.A.C. 4A:4-6.3(b)* provides that the appellant has the burden of proof in examination appeals.

In the instant matter, the appellants are not eligible for the subject examination. With respect to Mr. Hanussak, his application did not include any employment information. The importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Selection Services can make the initial determination whether to admit or reject an applicant. Selection Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner. Further, even accepting the appellant's resume and further description of his job duties provided on appeal, while the appellant may have occasionally interviewed and elicited information from customers and helped customers fill out forms for financial benefits, this was not the primary focus of any of his positions. Further, there is no indication that the appellant's community experience provided him the equivalent of full-time experience that was primarily focused in the required areas for the subject announcement. 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).

In reference to Ms. Harris, the Commission reiterates that agency records do not indicate that she is serving provisionally in the subject title. Further, even if the Commission were to consider the seven months of experience in the subject title as of the closing date that she indicated on her resume, she would still need an additional five months of applicable experience. Ms. Harris indicated that for approximately five and one-half years she assisted all constituents as they walked in and out of the office as an Administrative Assistant for the Jersey City Department of Public Works. She presents that she assisted constituents with issues such as potholes, tree trimming, parks, and other Public Works issues. However, this experience is not in the required areas pertaining to matters such as eligibility or qualification of applicants for insurance, credit, cash entitlements, employment, financial loans, or the settlement of insurance claims.

Accordingly, the appellants have failed to meet their burdens of proof and Selection Services properly determined that the appellants lacked the applicable experience as of the closing date and are not eligible for the subject examination.

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 3rd DAY OF SEPTEMBER, 2014



Robert M. Czech
Chairperson
Civil Service Commission

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and
Correspondence

Henry Maurer
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Attachment

c: John Hanussak
Kamei Harris
Robert Kakoleski
Dan Hill
Joseph Gambino



Job Announcements

Symbol: M0051S Title: **REPRESENTATIVE CITIZENS COMPLAINTS**

Issue Date: 01/07/2014

Closing Date: 01/28/2014

Jurisdiction: JERSEY CITY

Salary: \$11,100.00 - \$44,043.00 Per Year

Num. of Positions: 1

Workweek: 40 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

Jersey City

REQUIREMENTS:

EXPERIENCE: One (1) year of experience in interviewing and eliciting information from persons, assisting them in completing forms and/or verifying the information obtained and/or in investigating and making determinations or recommendations pertaining to such matters as the eligibility or qualification of applicants for insurance, credit, entitlement to cash awards or financial benefits, employment, financial loans or the adjustment and settlement of insurance claims.

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 essential duties of the position.

IMPORTANT INFORMATION:

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. If the announcement is open to residents of more than one jurisdiction, the eligible list will be ranked according to that residency sequence. Please click here for additional information.
6. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
7. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq) or their claim is approved by DMAVA at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.

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