

B-27



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Terry Williams,
Supervisor of Accounts (PC0090T),
Cumberland County

Examination Appeal

CSC Docket No. 2015-3186

ISSUED: **AUG 21 2015** (SLK)

Terry Williams appeals the determination of the Division of Agency Services (Agency Services) that she was below the minimum requirements in experience for the promotional examination for Supervisor of Accounts (PC0090T), Cumberland County.

The examination at issue was announced with specific requirements that had to be met as of the January 21, 2015 closing date (see attached). The appellant was the only employee that applied for the examination which was cancelled due to a lack of qualified applicants.

On her application, Ms. Williams indicated that she was provisionally serving in the subject title from July 2014 to the January 21, 2015 closing date, a Keyboarding Clerk 3 from July 2003 to June 2014, a Senior Clerk Typist from January 2000 to June 2003, and a Clerk Typist from February 1993 to December 1999. Personnel records indicate that Ms. Williams was provisionally serving in the subject title from July 2014 to the January 21, 2015 closing date, a Keyboarding Clerk 3 from July 2003 to June 2014, a Keyboarding Clerk 2 from January 2000 to June 2003, and a Keyboarding Clerk 1 from August 1993 to December 1999. Agency Services credited the appellant with seven months of experience based on her provisional service in the subject title, but determined that she lacked four years and five months of experience.

On appeal, Ms. Williams maintains that she has been performing the required duties since she was appointed as a Keyboarding Clerk 3 in 2003. She

provides examples of the various accounts that she has been involved in the operations and maintenance for the Tax Board office. Her supervisor, Patricia Belmont, County Tax Administrator, submits a statement confirming that the appellant has been performing the required duties since July 2003 as a Keyboarding Clerk 3 due to business necessity.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional 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 with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process.

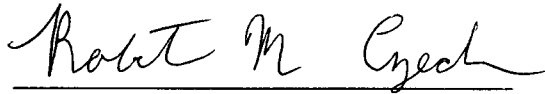
Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. Ms. Williams was credited with having seven months of the required experience based on her provisional service in the subject title, but she did not indicate on her application that she had experience in the operation and maintenance of accounts as a Keyboarding Clerk 3. However, in accordance with *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties performed in a given position that expands or enlarges on information previously submitted is considered clarifying. Although Ms. Williams clarifies that as a Keyboarding Clerk 3 she was responsible for the operation and maintenance of various accounts for the Tax Board, any relevant experience the appellant gained in this position would be out-of-title-work. However, Ms. Belmont verified that the appellant performed the required out-of-title duties as a Keyboarding Clerk 3 due to the appointing authority's business necessity and the examination has been cancelled due to a lack of qualified applicants. Therefore, under these circumstances, good cause exists to accept the clarification of Ms. Williams' out-of-title work experience, for eligibility purposes only, and admit her to the examination.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded and Terry Williams' application be processed for prospective employment opportunities only.

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 19th DAY OF AUGUST, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
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Attachment

c: Terry Williams
Craig Atkinson
Kelly Glenn
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: PC0090T	WEIGHT CODE: *
TITLE: SUPERVISOR OF ACCOUNTS	SALARY: \$37,244.00 - \$51,025.00
ISSUE DATE: January 01, 2015	CLOSING DATE: January 21, 2015
TITLE CODE: 03969/ MXRFR0	JURISDICTION CODE: C0600027
JURISDICTION: CUMBERLAND COUNTY	
DEPARTMENT: TAXATION	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date and are currently serving in the following title(s):

Assistant Supervisor of Accounts 00755

Or 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:

Experience: Five (5) years of experience involving the operation and maintenance of a system of accounts.

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. 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).
6. **If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.**

DPF-256A * Revised 03/09