

On appeal, Ms. Conti argues that she possesses three years of applicable experience in her position as a Regulatory Compliance Manager with RCN Telecom Services. Specifically, she states that her duties in that position included: supervision of staff, company liaison with Commissions on compliance matters; attending meetings; developing policies; and providing guidance on State and federal requirements and conferring with attorneys to prepare company defense. Further, she states that she was working out-of-title while in the title of Secretarial Assistant for eight years.

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.

CONCLUSION

At the outset, it is noted that qualifying experience has the announced experience requirement as the primary focus of the position. That is, the announced experience should be the main duty of the listed position. An experience requirement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they *primarily* performed *all* those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience.

Titles are categorized as professional, para-professional or non-professional. *N.J.A.C.* 4A:4-2.5(a)1 states that professional titles require at least a Bachelor's or higher level degree, with or without a clause to substitute experience. Thus, since the Administrative Analyst title requires completion of a Bachelor's degree with a substitution clause, which permits additional experience in lieu of the college credits, it is considered a professional title, and the announced experience requirement involves professional experience.

Aside from her provisional position, the appellant's titles with Mercer County were clerical. Experience in nonprofessional titles is not at the level and scope of the announced experience requirement and is not acceptable. Additionally, the duties she listed for those titles do not match the experience requirement or have it as the primary focus.

As a Regulatory Compliance Manager with RCN Telecom Services, the appellant developed policies and procedures, provided guidance in setting up methods and procedures for handling new business, participated in State commission meetings, researched failure-to-comply allegations, and prepared for hearings. This experience does not match the announced experience requirement.

Lastly, many of the duties which she listed for her provisional position are not those of an Administrative Analyst. As a result, DAS should review the appellant's job duties to determine whether she is serving in the most appropriate title.

An independent review of all material presented indicates that the decision of DAS that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support her burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied, and the matter of the appellant's job title be referred to DAS for review.

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 APRIL, 2017



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

c: Karen Conti
Raissa Walker
Kelly Glenn
Records Center

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



Click here to file Online Print
\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

SYMBOL: PC1464U	WEIGHT CODE: *
TITLE: ADMINISTRATIVE ANALYST	SALARY: \$44,625.00 - \$68,086.00
ISSUE DATE: July 01, 2016	CLOSING DATE: July 21, 2016
TITLE CODE: 00010/ GPRLR7	JURISDICTION CODE: T11000007
JURISDICTION: MERCER COUNTY	
DEPARTMENT: HUMAN SERVICES	

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 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: One (1) year of experience in analyzing, evaluating, and providing advice to management on such matters as work methods and procedures, communications, budgeting, organizational structure, manpower utilization, distribution of work assignments, delegation of authority, policy development, records management, or similar areas.

Note: Possession of Master's degree from an accredited college or university in Business Administration, Public Administration, Industrial Management, Industrial Engineering, Industrial Psychology, Political Science, or Government may be substituted for the above experience. You must indicate the details of your Master's degree 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.

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. **ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. 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.**

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