

B-13



STATE OF NEW JERSEY

In the Matter of Heidi Jones,  
Management Assistant (PS3145G),  
Department of Environmental  
Protection

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-1836

Examination Appeal

ISSUED: APR 21 2017 (JET)

Heidi Jones appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirement for the promotional examination for Management Assistant (PS3145G), Department of Environmental Protection.

The promotional examination was announced with specific requirements which had to be satisfied by the July 21, 2016 closing date (see attached). The examination was cancelled on December 7, 2016, as all three applicants, including the appellant, were found ineligible for the examination. Pursuant to the substitution cause, the appellant required five years of applicable experience since she did not possess a Bachelor's degree.

On her application and resume, the appellant indicated that she possessed 73 college credits. Agency Services credited the appellant with two years and five months of experience for her education. Additionally, as relevant experience, the appellant listed that she served as a provisional Management Assistant from January 2016 to the July 21, 2016 closing date, as a Principal Clerk Typist from June 2005 to June 2016, as a Senior Clerk Typist from September 2003 to May 2005, and as a Clerk Typist from November 2001 to July 2003. Official personnel records indicate that the appellant served as a provisional Management Assistant from December 2015 to the closing date, as a Principal Clerk Typist from May 2004 to December 2015, as a Senior Clerk Typist from January 2003 to May 2004, and as a Clerk Typist from November 2001 to January 2003. Agency Services credited her with seven months of applicable experience for her provisional work in the subject

title. However, it could not credit the appellant with any other applicable experience, as it was considered out-of-title. Accordingly, Agency Services determined that the appellant lacked two years of applicable experience.

On appeal, the appellant maintains that she is qualified for the examination and supplies a detailed description of her duties in her various titles. She states, among other things, that she has been performing applicable duties of the subject title since 2005. She also clarifies the duties she is performing as a provisional Management Assistant. In support, the appellant submits a letter dated March 29, 2017 from Kenneth Ratzman, Assistant Director, Air Quality Regulation and Planning, Department of Environmental Protection. Mr. Ratzman states, among other things, that the appellant has been performing the duties of a Management Assistant since June 2005 while serving as a Principal Clerk Typist. He adds that since 2012, the appellant has been serving as the liaison to the Clean Air Council and is responsible for all administrative functions of the Council. Mr. Ratzman states that the appellant's other supervisors since 2005 are in agreement that the appellant has performed the applicable duties of the subject title. The letter is also signed by Francis Steitz, Director, Division of Air Quality, William O'Sullivan, Advisor, Air, Energy and Sustainability, and Susan Slachta, Executive Assistant 3, Division of Air Quality.

Official personnel records indicate that, by way of a classification determination dated March 11, 2011, Agency Services determined that the appellant's duties were consistent with those performed by a Principal Clerk Typist. It is noted that the appellant was supervised by Susan Slachta at the time.

### CONCLUSION

*N.J.A.C.* 4A:4-2.6(a)2 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, Agency Services correctly determined that the appellant was not eligible for the subject examination. Primarily performing the required duties to establish eligibility for the subject examination would be considered out-of-title work for incumbents in the Principal Clerk Typist title. Additionally, the Assistant Director, Air Quality Regulation and Planning, and three of the appellant's former supervisors, indicate that the appellant has been performing the applicable duties of a Management Assistant since 2005. However, as a result of the March 11, 2011 classification determination, the appellant cannot now be credited with performing applicable Management Assistant duties since 2005 on an out-of-title basis.

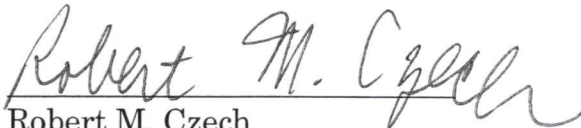
Nonetheless, based on the letter provided by the appellant's supervisors, it is reasonable to conclude that she has been performing applicable Management Assistant duties after the classification determination was issued. Further, the appellant continues to serve as a provisional Management Assistant. Moreover, the record reflects that the subject list is incomplete as the examination was cancelled and there are no other eligible applicants. Under these circumstances, good cause exists to accept the appellant's out-of-title work experience since March 11, 2011, for eligibility purposes only, and admit her to the examination.

### ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded and the appellant's 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 19<sup>th</sup> DAY OF APRIL, 2017



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries and Correspondence	Christopher Myers Director Division of Appeals & Regulatory Affairs Civil Service Commission Written Record Appeals Unit PO Box 312 Trenton, New Jersey 08625-0312
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c: Heidi Jones  
Deni Gaskill  
Kelly Glenn  
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE  
**PROMOTIONAL ANNOUNCEMENT**



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

SYMBOL: PS3145G	WEIGHT CODE: *
TITLE: MANAGEMENT ASSISTANT	SALARY: \$45,053.00 - \$63,538.00
ISSUE DATE: July 01, 2016	CLOSING DATE: July 21, 2016
TITLE CODE: 56492/GPRXR7	CLASS CODE: 19
DEPARTMENT: EPA/ENVIRONMENTAL PROTECTION	
UNIT SCOPE: G770 Division of Air Quality	

Visit [www.state.nj.us/csc](http://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 performing complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures.

**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 license rests with the Appointing Authority.

**IMPORTANT INFORMATION**

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
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- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, 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.**
6. **SPECIAL NOTE TO ALL APPLICANTS** Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, **YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.**
7. 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](mailto:OAS.support@csc.state.nj.us) or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so **PLEASE FILE EARLY.**

DPF-256A \* Revised 03/09