



N.A.. None of her experience was accepted and thus, per the substitution clause for education, she was found to be lacking three years of applicable experience.

On appeal, the appellant argues that for the last four and a half years she has been working in the Administrative Unit and deals with the Prosecutor, First Assistant Prosecutor and Chief of Staff. She provides evidence of her education and extensive duties for each position.

### **CONCLUSION**

*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 in pertinent part that 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, unless good cause is shown for an exception.

The Division of Agency Services correctly determined that the appellant was not eligible for the subject examination. Incumbents in clerical titles are not assigned professional level duties of complex administrative support work. Agency Services contacted the appointing authority for verification of out-of-title duties, and it chose not to respond. As such, a basis for accepting out-of-title experience has not been presented. As the appointing authority has not supported the appellant's claim of out-of-title work, the appellant lacks three years of qualifying experience per the substitution clause for education.

If the appellant believes she is performing a majority of out-of-title duties on a daily basis, she should request a classification review of her position.

An independent review of all material presented indicates that the decision of Agency Services 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.

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 9<sup>th</sup> DAY OF JULY, 2019



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