



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Shakeenah Smith
Coordinator of Contractual
Operations (M0929U), Newark

Examination Appeal

CSC Docket No. 2017-3511

ISSUED: February 13, 2020 (RE)

Shakeenah Smith appeals the decision of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements for the open-competitive examination for Coordinator of Contractual Operations (M0929U), Newark.

The subject examination announcement was open to residents of Newark who possessed three years of experience in either (1) ensuring compliance with terms of contracts, negotiating with vendors to resolve problems of contractual obligations, and determining what action should be taken to ensure compliance with provisions of contract, or (2) in supervision of a retail business operation including purchasing, retail merchandising, and cost analysis. These requirements had to be met as of the December 20, 2016 closing date. A total of 19 applicants applied for the subject examination which resulted in a list of four eligibles with an expiration date of April 26, 2020. The eligible list was certified twice, with one appointment and one candidate removed.

The appellant listed one position on her application, Procedures Analyst, from April 2012 to December 2016. She included four more positions on her resume: OPRA Clerk, Principal Tax Clerk, Data Control Clerk, and Customer Service Adviser with Sears Auto Center. Official records indicate a similar yet different employment history. There is no local title "OPRA Clerk," and records indicate that the appellant has held the title Data Control Clerk from March 2003 to the December 2016 closing date. None of her experience was accepted and the appellant was found to be lacking three years of required experience.

On appeal, the appellant argues that she is currently doing the duties of a Coordinator of Contractual Operations, and has been doing them since April 2013. She states that her Associate's degree could be used as a substitute for two years of experience. Khalif Thomas, Manager of Public Buildings, has written in support of this appeal, stating that Ms. Smith schedules work and maintains work sites, and is a liaison with vendors. He states that she also performs administrative support, such as drafting documents, scheduling projects and ensuring payment.

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.

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. For this examination, there was no substitution clause of education for experience, so possession of an Associate's degree has no bearing on the eligibility. On her application, the appellant indicated that she held the title Procedures Analyst, and she copied the examples of work from the job specification for the subject title as duties of work. As this was unacceptable, Agency Services staff emailed the appellant and asked her to explain her duties in her own words. She did not reply to that email. As her remaining positions involved clerical work, she was found to be lacking three years of qualifying experience. The appellant does not provide an explanation of her duties in her own words in her appeal. She merely maintains that she is currently performing the duties of the subject title, and has that doing so from April 2013. A review of the duties submitted by the Manager of Public Buildings indicates that her duties do not rise to the level and scope of the required experience. He indicates that she "provide[s] correspondence to vendors to ensure company procedures and contractual obligations are met." This is not the same as ensuring compliance with terms of contracts, negotiating with lenders to resolve problems of contractual obligations, and determining what action should be taken to ensure compliance with provisions of contract. Therefore, she has not established that she meets the announced requirements for the subject examination.

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 12th DAY OF FEBRUARY, 2020



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