



STATE OF NEW JERSEY

In the Matter of Maria Longobardi
 Administrative Secretary (PC4773C),
 Essex County

**FINAL ADMINISTRATIVE ACTION
 OF THE
 CIVIL SERVICE COMMISSION**

CSC Docket No. 2022-1691

Examination Appeal

ISSUED: MAY 23, 2022 (RAM)

Maria Longobardi appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirement for the promotional examination for Administrative Secretary (PC4773C), Essex County.

By way of background, the announcement for the subject examination was issued on November 1, 2021 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the November 22, 2021 closing date and possessed five years of experience in the capacity of a secretary to an executive or administrative official in a public or private organization. The successful completion of a two-year program in secretarial science at an accredited college or university could have been substituted for two years of the above-referenced experience. It is noted that there were 11 applications submitted for the subject examination. Three applicants were found eligible, which resulted in an eligible list promulgating on January 13, 2022 with an expiration date of January 12, 2025. A certification (PL220069) was issued on January 24, 2022 with a disposition due date of April 25, 2022. The certification is still outstanding.

On her application, the appellant listed that she has been serving as a Principal Data Entry Machinist¹ with the Essex County Prosecutor's Office since November 1991. Agency Services' initial review of the appellant's application found

¹ Agency records indicate that the appellant's current title is Data Entry Operator 1, and she has been serving in that title since May 18, 2013.

that she did not indicate experience as a secretary to an executive or administrative official. In addition, the appellant did not present documentation that she completed a two-year program in secretarial science at an accredited college or university. Therefore, it was determined that the appellant lacked the five years of required experience as of the November 22, 2021 closing date.

On appeal to the Civil Service Commission (Commission), the appellant indicates that she has been assigned to the Vehicular Homicide/Arson Unit with the Essex County Prosecutor's Office since 2013, and that she has been performing complicated administrative clerical work and secretarial duties for the agency's executive level command staff consisting of the Chief Assistant Prosecutor, Assistant Prosecutor Director, Deputy Chief Investigator, and Captain of Investigators. In addition, she works in conjunction with two junior clerical staff members whom she provides training, guidance and assistance in solving complex issues. In support of her appeal, the appellant submits a letter from the Chief Assistant Prosecutor, who recommends the appellant for an Administrative Secretary position and verifies that he supervises the appellant and that her duties include managing the schedules of the Assistant Prosecutors in her unit, managing the investigative and statistical databases, creating files for incoming cases, and responding to requests for records.

It is noted that upon a review of the appellant's statements on appeal, Agency Services indicated that the appellant would have met the experience requirement for the subject examination had her out-of-title work experience been certified by the appointing authority.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the announcement by the closing date. However, *N.J.A.C.* 4A:1-1.2 (c) states that the Commission may relax a rule for good cause in particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In this matter, based on clarification of duties submitted on appeal, Agency Services determined that the appellant's experience as a Data Entry Operator 1 from May 2013 to November 2021 (eight years and seven months) was applicable out-of-title work. In that regard, *N.J.A.C.* 4A:4-2.6(c) states, except when permitted by the Chairperson or designee 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. However, the appellant would have met the announced requirements prior to the November 22, 2021 closing date if the out-of-title work experience was certified by the appointing authority. On appeal, she submits a letter from the Chief Assistant Prosecutor, who verifies that he supervises

her and her duties include managing schedules. Under these circumstances, the Commission finds good cause to admit the appellant to the subject examination based on clarification of her duties, the totality of her secretarial work experience, and verification of those duties by her supervisor, an administrative official. Finally, allowing the appellant to be admitted to the subject examination minimally increases the candidate pool.

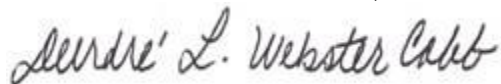
Therefore, based on all of the foregoing, the appellant should be admitted to the subject examination. In this regard, the purpose of the Civil Service system is best served when more rather than fewer individuals are presented with appointments and/or advancements opportunities. *See Communications Workers of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998).

ORDER

Therefore, it is ordered that this appeal be granted.

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 18TH DAY OF MAY, 2022



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