

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Maria Carvalho,
Executive Assistant (PM2348T),
Elizabeth

Examination Appeal

CSC Docket No. 2016-³¹⁰⁵~~3015~~

ISSUED: **NOV 16 2016** (SLK)

Maria Carvalho appeals the determination of the Division of Agency Services (Agency Services) that she was below the minimum requirements in experience for the promotional examination for Executive Assistant (PM2348T), Elizabeth.

The examination at issue was announced with specific requirements that had to be met as of the November 21, 2015 closing date (see attached). The appellant was the only employee who applied for the subject examination and was deemed ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

Ms. Carvalho indicated on her application that she was serving provisionally in the subject title from September 2013 to the November 21, 2015 closing date, a Zoning Officer from November 1998 to October 2006, a Licensed Inspector from July 1996 to July 1997, and a Field Representative Housing Inspector from October 1992 to March 1994. Personnel records indicate that she was provisionally serving in the subject title from September 2013 to the November 21, 2015 closing date, a Zoning Officer from November 1998 to September 2013, a License Inspector from July 1996 to November 1998, a Field Representative Housing Inspector from October 1992 to July 1996, and a Keyboarding Clerk 1 from February 1990 to October 1992. Agency Services credited her with two years and three months of experience based on her provisional service in the subject title, but determined, per the substitution clause for education, that she lacked four years and nine months of experience.

On appeal, Ms. Carvalho highlights that she has completed over 75 hours of Planning and Zoning Administration courses for Government Services and holds a certification for Planning and Zoning Administration. She outlines her employment

history and contends that she has more than the three years of required experience. Marie Krupinski, Interim Business Administrator, and Eduardo Rodriguez, Director, Planning & Community Development, submit letters in support of her appeal and state that she is the most qualified person to be an Executive Assistant in the Department of Planning and Community Development.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) requires applicants to possess all the requirements specified in an announcement for a promotional examination by the closing date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

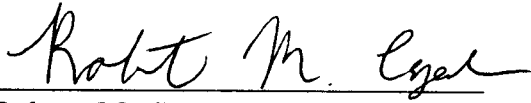
Initially, Agency Services correctly determined that the appellant did not meet the required experience as of the November 21, 2015 closing date as she only had two years and three months of experience based on her provisional service in the subject title and lacked four years and nine months of experience based on the substitution clause for education. However, it cannot be ignored that the position is in the Department of Planning and Community Development and involves working with the appointing authority's Construction, Zoning, and Relocation Bureaus. Further, Ms. Krupinski and Mr. Rodriguez indicate that she is the most qualified person in the Department to serve in the subject title. Therefore, although Ms. Carvalho's experience does not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the totality of her experience, including her provisional service in the subject title and her experience as a Zoning Officer, License Inspector, and Field Representative Housing Inspector, as far back as October 1992, warrants her admission to the subject examination. Furthermore, the appellant continues to serve provisionally in the subject title and the examination had been cancelled due to a lack of qualified candidates. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the totality of Ms. Carvalho experience, for eligibility purposes only, and admit her to the subject examination.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded and Maria Carvalho'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 10th DAY OF NOVEMBER, 2016

A handwritten signature in cursive script, reading "Robert M. Czech", is written over a horizontal line.

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: Maria Carvalho
Bridget Zellner
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: PM2348T

WEIGHT CODE: *

TITLE: EXECUTIVE ASSISTANT

SALARY: \$87,982.00 - \$90,282.00

ISSUE DATE: November 01, 2015

CLOSING DATE: November 21, 2015

TITLE CODE: 04586/ WPRVR7

JURISDICTION CODE: N20040022

JURISDICTION: ELIZABETH

DEPARTMENT: PLANNING AND COMMUNITY DEVELOPMENT

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: Three (3) years of experience in program management with responsibility for planning, organizing, coordinating, staffing, reporting, and budgeting, or in assisting an executive with program development and implementation.

Note: Possession of a Master's degree in Public Administration, Business Administration, Management or related field from an accredited college or university may be substituted for one (1) year of 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.**

DPF-256A * Revised 03/09