



B-27

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Xiomara Ortiz,
Keyboarding Clerk 2, Bilingual in
Spanish and English (PC0683U),
Ocean County

Examination Appeal

CSC Docket No. 2017-645

ISSUED: FEB 24 2017

(RE)

Xiomara Ortiz appeals the decision of the Division of Agency Services (DAS) which found that she did not meet the experience requirements for the promotional examination for Keyboarding Clerk 2, Bilingual in Spanish and English (PC0683U), Ocean County.

The subject promotional examination had a closing date of April 21, 2016 and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date and who were serving in the titles Keyboarding Clerk 1 and Keyboarding Clerk 1, Bilingual in Spanish and English and who met the announced requirements. These requirements included one year of clerical experience operating an alphanumeric keyboard or typewriter to produce documents such as letters, memos, reports, charts, forms and other materials. Successful completion of a clerical training program with a minimum of 700 clerical training hours or 30 semester hour credits in secretarial science from an accredited college or university could be substituted for one year of experience. The appellant was found to be ineligible based on a lack of experience. Since there were no admitted candidates, the examination was canceled on August 21, 2016.

On her application, the appellant indicated no experience. As such, she was contacted so she could add to the file. She replied with a two-page narrative regarding her duties. Official records indicate that she was provisionally appointed to the subject title in December 2015, and was a Keyboarding Clerk 1, Bilingual in Spanish and English prior to that. The appellant did not provide separate lists of

duties for each title. None of this was accepted and the appellant was found to be lacking one year of applicable experience.

On appeal, the appellant resubmits her narrative of duties and states that she has held the titles Keyboarding Clerk 1 and 2, Bilingual in Spanish and English. Thus, she believes she meets the requirements for the examination.

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

First, the appellant did not complete her application: specifically, no experience had been submitted. The appellant was advised that the online application process is automated and provides instructions to candidates on how to properly complete their applications. When an applicant clicks on the payment tab to submit their online application and they have not provided any experience, they receive a warning message as highlighted below. If the applicant does want to provide experience, they must click 'Yes' to return to the experience section before submitting their application. If they do not have any experience to report, they click 'No' to complete and submit their application. The note on the appellant's application indicates that "during the application creation process, employment information was not entered into the experience section." If additional documents were provided by the closing date, this information is reviewed in determining eligibility. That issue aside, the appellant certified that her employment history was complete and accurate when she submitted it. It is noted that service in a particular title does not automatically establish that the applicant possesses the necessary qualifications for an examination. Applicants must demonstrate on their applications that the duties they perform provide them with the experience required for eligibility. See *In the Matter of Charles Klingberg* (Merit System Board, decided August 28, 2001). The instructions under the experience portion of the applications advise applicants to provide **all** employment information (not just current employment information), and if they have multiple positions, they need to make sure that they provide each one separately. The appellant should follow these instructions and properly complete any future applications for examinations.

Next, credit was given only for clerical experience operating an alphanumeric keyboard or typewriter to produce documents such as letters, memos, reports, charts, forms and other materials. The list of duties provided by the appellant included the following responsibilities: making shipping labels; collecting fees, keeping the money bag and verifying sums; recording forms in stock; ordering supplies; forwarding applications and documents; completing passport applications by administering oaths, detecting fraud, taking pictures, and verifying information; providing information to customers; confirming notary commissions; scanning

documents; completing the transmittal of applications; filing; verifying paperwork for veteran identifications and veteran peddler's licenses; and answering phones. The appellant indicated that a computer program types information that is printed on the veteran identification cards. The appellant was not performing those duties based on the description given. As such, the appellant does not meet the minimum experience qualifications for the subject title. However, since it is clear that the duties the appellant is performing are not primarily focused on the duties of the subject title, the classification of her provisional position should be reviewed by DAS.

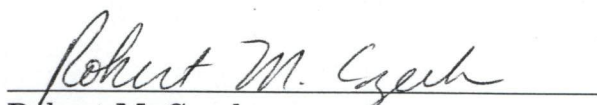
An independent review of all material presented indicates that the decision of the DAS that appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. Appellant provides no basis to disturb this decision. Thus, appellant has failed to support her burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied. It is further ordered that the matter of the proper classification of the appellant's provisional position be referred to DAS for a classification audit.

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 22nd DAY OF FEBRUARY, 2017



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