



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Debra Magyar,
Secretarial Assistant 2 Non-
Stenographic (PS2978I), Edna
Mahan Correctional Institution for
Women, Department of Corrections

Examination Appeal

CSC Docket No. 2017-1182

ISSUED: SEP 21 2017. (HS)

Debra Magyar appeals the determination of the Division of Agency Services (Agency Services), which found that she did not meet the experience requirement for the promotional examination for Secretarial Assistant 2 Non-Stenographic (PS2978I), Edna Mahan Correctional Institution for Women, Department of Corrections (DOC).

The subject examination was announced with a closing date of June 21, 2016 and was open, in pertinent part, to employees who possessed four years of experience in secretarial and administrative clerical work. Successful completion of a clerical training program with a minimum of 700 classroom training hours or 30 semester hour credits in secretarial science from an accredited college or university could be substituted for one year of the indicated experience. Course work must include typing skills, methods and procedures; other courses may include, but not be limited to, office procedures, word processing and business English. It is noted that the appellant was the only applicant for the subject promotional examination, which was cancelled.

In her application materials, the appellant listed her experience as a provisional Secretarial Assistant 2 Non-Stenographic from April 2016 to the closing date; as a Technical Assistant Management Information Systems from April 2001 to April 2016; as a Principal Clerk Typist from October 1996 to April 2001; as a Senior Clerk Transcriber from July 1995 to October 1996; and as a Clerk Transcriber from January 1995 to July 1995, all with the Edna Mahan Correctional Institution for Women. The appellant also listed her experience as a Unit Leader/Sales

Representative with Avon, Inc. from 2010 to 2015. The appellant indicated that as a Technical Assistant Management Information Systems, she prepared, organized and completed administrative and secretarial reports including confidential Investigative Reports, Criminal History Background Checks, incident reports and incoming correspondence; cross-referenced as necessary while preserving a high level of confidentiality; prepared and submitted Special Investigations Division Monthly Report, Domestic Violence Report and Vehicle Report; managed the iTAG System for Keep Separates and Visit Ban data; liaised with federal, State and local law enforcement agencies throughout New Jersey and surrounding states; maintained the Special Investigations Division computerized filing system database; transcribed reports using Windows XP Program; maintained Special Investigations Division Unit's time records and enter those records in TALRS; maintained Special Investigations Division Daily Activity and Case Logbooks; and, in the absence of the supervisor, assumed responsibilities and the duties of the daily operation of the office. For her Principal Clerk Typist position, the appellant indicated duties substantially similar to those indicated for her Technical Assistant Management Information Systems position. The appellant indicated that as a Senior Clerk Transcriber and Clerk Transcriber, she, under general supervision, transcribed dictation and/or took the lead in the transcribing clerical unit; did related work as required; maintained inmate Classification files as necessary while preserving their confidentiality; maintained Classification Department computerized filing system to include data entry and retrieval; prepared weekly Classification meetings; and prepared Classification meeting results and entered into System 36. The appellant indicated that as a Unit Leader/Sales Representative, she secured sales representative recruitment requirements to meet and maintain Unit Leader status and achieved and maintained Presidents Club status in 2011 with over \$10,000 in personal sales.

Agency Services credited the appellant with three months of applicable experience based on her experience as a provisional Secretarial Assistant 2 Non-Stenographic from April 2016 to the closing date. None of her remaining listed experience was found to be applicable since the positions were not secretarial, at the required level and scope, or applicable. Therefore, Agency Services deemed the appellant ineligible since she lacked three years and nine months of experience and thus did not meet the experience requirement set forth in the announcement.

On appeal, the appellant presents a summary of her experience and argues that she should be deemed eligible. She notes that DOC approved her provisional appointment to the subject title. In support, she submits her resume, which lists the same positions that were listed in her application materials, and her transcript, which indicates completion of 56 college credits in pursuit of an Associate's degree in criminal justice.

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. Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination as the appellant was required to possess four years of applicable experience. However, a review of the appellant's application reveals that she did not possess the required experience.

On appeal, the appellant notes that DOC approved her provisional appointment to the subject title. However, a provisional appointment does not create a presumption of examination eligibility. *See In the Matter of Jennifer Napoli* (MSB, decided February 25, 2004) (This agency makes official determinations of eligibility for all prospective candidates for State employment who are also required to pass a competitive examination and be certified in order to be considered for permanent employment in the competitive division of the career service). The appellant maintains that she possesses the requisite experience, arguing, among other things, that her Technical Assistant Management Information Systems, Principal Clerk Typist, Senior Clerk Transcriber, Clerk Transcriber and Unit Leader/Sales Representative positions are applicable. However, in order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). The amount of time, and the importance of the duty, determines if it is the primary focus. An experience requirement that lists a number of duties that define the primary experience, requires that the applicants demonstrate that they primarily performed all of those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience. *See In the Matter of Jeffrey Davis* (MSB, decided March 14, 2007).

Based on a review of the appellant's application materials and appeal, the five positions noted above cannot be credited. In this regard, the duties she performed in the Technical Assistant Management Information Systems and Principal Clerk Typist positions were not secretarial. Secretarial work involves working for an executive, including scheduling appointments, giving information to callers, reading and routing incoming mail, locating files, typing, filing, greeting visitors and conducting them to the executive or appropriate person, arranging travel schedules, placing outgoing calls, recording minutes of staff meetings, making copies of printed matter, and preparing outgoing mail. *See In the Matter of Rosemarie Baylies* (MSB, decided April 6, 2005). The duties performed in the Senior Clerk Transcriber and Clerk Transcriber positions were not at the required level and scope as they were clerical in nature and not secretarial and/or administrative clerical. In order to be accepted as secretarial and administrative clerical, duties performed must be complex and involve independent judgment.

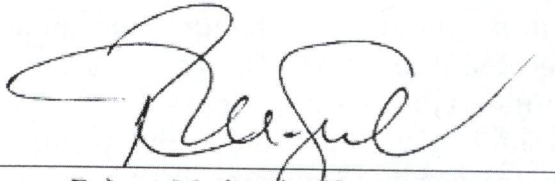
Thus, work performed in the Senior Clerk Transcriber and Clerk Transcriber titles is not acceptable for the Secretarial Assistant title series. *See In the Matter of Suzanne Bauerle, et al.* (MSB, decided October 9, 2002). The Unit Leader/Sales Representative position is inapplicable as the duties involved were unrelated to the experience requirement. Finally, it is noted that the appellant's college credits are inapplicable for purposes of the substitution clause for experience as they are in criminal justice, not secretarial science. Accordingly, the record reflects that the appellant did not meet the requirements for the title under test, and there is no basis to disturb Agency Services' determination.

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 20TH DAY OF SEPTEMBER, 2017



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