



In the Matter of Heather Haines,
Senior Clerk Transcriber (PC2259V), :
Burlington County :

STATE OF NEW JERSEY

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

CSC Docket No. 2018-1819

Examination Appeal

ISSUED: MAY 31, 2018 (CSM)

Heather Haines appeals the determination of the Division of Agency Services (Agency Services) which found that she was below the minimum requirements in experience for the promotional examination for Senior Clerk Transcriber (PC2259V), Burlington County.

The examination at issue was announced with specific requirements that had to be met as of the closing date of September 21, 2017. The requirements were, in pertinent part, one year of experience in the transcription of dictation using recording equipment. The subject examination was cancelled on January 5, 2018 since the appellant was the only applicant.

The appellant indicated on her application that she was a Keyboarding Clerk 1 from August 2007 to the announced closing date, September 2017. A review of agency records indicates that the appellant was serving provisionally in the title under test from April 2015 to the closing date and a Keyboarding Clerk 1 from August 2007 to April 2015. Agency Services did not credit the appellant with any applicable experience.

On appeal, the appellant highlights her provisional service in the title under test and clarifies her experience, explaining that she transcribes letters and documents, such as resolutions, request for qualification packets, and occupancy agreements, utilizing a transcription device.

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.

N.J.A.C. 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purpose of Title 11A, New Jersey Statutes.

CONCLUSION

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. As of the announced closing date, the appellant did not indicate on her original application that she transcribed dictation using recording equipment. Under *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. However, *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. See *In the Matter of Diana Begley* (MSB, decided November 17, 2004).

On appeal, the appellant clarifies her experience, explaining that she utilizes a transcription device to prepare dictation of letters and various documents that are issued to property owners. Further, the subject examination has been cancelled since the appellant was the only applicant and she continues to serve provisionally in the title under test. As such, good cause exists to accept the appellant's clarification of her provisional experience and the totality of her experience and admit her to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant'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
23RD DAY OF MAY, 2018

Deirdre' L. Webster Cobb

Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals
and Regulatory Affairs
Written Record Appeals Unit
Civil Service Commission
P.O. Box 312
Trenton, New Jersey 08625-0312

c. Heather Haines
Eve Cullinan
Kelly Glenn
Records Center