

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

In the Matter of Franklin Bautista, et al., Keyboarding Clerk 2 (PM2502V), Passaic Valley Water Commission

CSC Docket Nos. 2018-3557, et al.

Examination Appeals

ISSUED: September 6, 2018 (RE)

Franklin Bautista, Matthew Espina, Otilia Espina and Nancy Rivera appeal the decisions of the Division of Agency Services (Agency Services) which found that they did not meet the experience requirements for the promotional examination for Keyboarding Clerk 2 (PM2502V), Passaic Valley Water Commission.

The subject promotional examination had a closing date of November 21, 2017 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 appellants were found to be ineligible based on a lack of experience. Five candidates appeared on the eligible list and were appointed on June 20, 2018, exhausting the list.

On his application, Bautista indicated experience as a Keyboarding Clerk 1, Department Manager with Lowes, Department Manager with Home Depot, and Satellite Technician. Bautista described his duties as a Keyboarding Clerk 1 as acquiring and distributing work orders and performing numerous miscellaneous administrative duties. As he was not producing documents or typing, this

experience was not accepted. He was not credited for experience as a Department Manager or Satellite Technician. Thus, Bautista was found to be lacking one year of applicable experience. On appeal, Bautista states that he has been a Keyboarding Clerk 1 for over four years. Thus, he believes he meets the requirements for the examination.

Matthew Espino indicated one position on his application, Receptionist with New York Sports Club. Official records indicate that he also was regularly appointed to Keyboarding Clerk 1 on September 10, 2010. He was not credited for experience as a Receptionist and was found to be lacking one year of applicable experience. On appeal, Matthew Espino states that he has been a Keyboarding Clerk 1 for eight years. He indicates his duties include helping a customer service supervisor to do shut offs, closing work orders for the distribution supervisor, distributing daily jobs to technicians, and answering customer phone calls and helping them with problems and taking payments.

Otilia Espino listed one position on her application, Administrative Assistant for a Real Estate Agent. Official records indicate that she also was regularly appointed to Keyboarding Clerk 1 on September 12, 2013. She was not credited for experience as an Administrative Assistant and was found to be lacking one year of applicable experience. On appeal, Otilia Espino states that she has been a Keyboarding Clerk 1 for more than four years. Her duties include taking customer phone calls and helping them with problems, and posting credit card information and payments.

On her application, Rivera indicated experience as a Keyboarding Clerk 1. However, she copied duties from the job specification for the title under test. As this is not acceptable, she was contacted for clarification of her actual duties, and she did not reply. Therefore, her experience in this position was not credited and she was found to be lacking one year of applicable experience. On appeal, Rivera states that she has been a Keyboarding Clerk 1 for more than a year. Thus, she believes she meets the requirements for the examination.

In support of these appeals, the appointing authority provided the dates of service for each in their Keyboarding Clerk 1 positions. When asked for duties, the appointing authority indicated that each appellant performed the following:

Answers phone calls and customer inquiries;

Provides customer service regarding payment, shut-offs, meter servicing, etc.;

Operate various office equipment including, but not limited to, keyboard equipment, calculators, printers, photocopier, and fax machines; Receives records from Finance Department regarding bounced checks and charges on credit cards. Reverses payment, applying necessary fees, and mails out correspondence to notify the customers; Works with the Distribution Department in electronically filling out daily service orders for curb box; and Enters payments, runs journals, and balances out registers.

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.

In the instant matter, 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 appellants did not provide a list of duties, either in their original applications or on appeal, that indicate that this was the primary focus of their Keyboarding Clerk 1 positions. The list of duties provided by the appointing authority also did not include this as the primary focus. Clearly, the appellants are not primarily performing work required of a Keyboarding Clerk. The primary duties of incumbents in the Keyboarding Clerk classification include processing documents and performing clerical work requiring the utilization of keyboard or typing skills, and typing documents on a computer console. The primary duties of the appellants' position are in customer service. The announced experience requirement was also not the primary focus of the positions outside of local government service. As such, the appellants do not meet the minimum experience qualifications for the subject title.

An independent review of all material presented indicates that the decisions of Agency Services that the appellants did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellants provide no basis to disturb these decisions. Thus, the appellants have failed to support their burden of proof in these matters. Finally, since the appellants are not performing duties consistent with a Keyboarding Clerk classification, the matter of the proper classification of their positions is referred to Agency Services for classification audits.

ORDER

Therefore, it is ordered that these appeals be denied. It is further ordered that the matter of the proper classification of the appellants' positions be referred to Agency Services for classification audits.

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 5th DAY OF SEPTEMBER, 2018

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c: Franklin Bautista (CSC Docket No. 2018-3557) Matthew Espina (CSC Docket No. 2018-3534) Otilia Espina (CSC Docket No. 2018-3536)

Nancy Rivera (CSC Docket No. 2018-3536)
(CSC Docket No. 2018-3537)

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