



provisional Public Information Assistant from September 2016 to the closing date, December 2018; 2) Senior Clerk Transcriber from January 2004 to January 2016; 3) Clerk Transcriber from November 2001 to January 2004; 4) Administrative Assistant with Ruger Chemical and Amend Drug from May 2000 to January 2001. None of the experience was found to be applicable, and therefore she was found to be lacking four years, two months of experience.

Pena indicated that she possessed 36 college credits which prorates to one year, two months of experience. As such, she needed three years, ten months of required experience. She listed one position on her application, provisional Public Information Assistant from September 2016 to the closing date, December 2018. None of the experience was found to be applicable, and therefore she was found to be lacking three years, ten months of experience.

On appeal, the appointing authority indicates that the positions encumbered by both appellants have undergone classification reviews which identified the correct titles for the positions as Public Information Assistant. Additionally, Guzman and Pena underwent pre-qualification evaluations which found that they did not meet the requirements. However, it was found that Guzman had twelve years, eight months of out-of-title experience while serving as a Senior Clerk Transcriber, and Pena had fourteen years, three months of out-of-title experience while serving as a Principal Clerk Transcriber.

## 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. *N.J.A.C.* 4A:4-2.6(c) provides in pertinent part that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception.

First, it is noted that Pena does not list more than her provisional Public Information Assistant title on her application. The online application process is automated and provides instructions to candidates on how to properly complete their applications. Also, the application states that, by clicking “yes,” the applicant certified that the employment history was complete and accurate. The On-Line Application System User’s Guide cautions applicants to carefully review the application to ensure that it is complete and accurate before submitting, and to complete the application in detail. It states that failure to complete the application properly may cause the applicant to be declared ineligible. The instructions under the experience portion of the application 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.

Nonetheless, in the instant matter, the positions underwent position classification reviews and it was determined that the duties of both positions were properly classified as Public Information Assistant. The appellants are still serving in their provisional positions, and they each have at least the required years and months of out-of-title experience as listed in the pre-evaluation determinations. With the acceptance of this out-of-title work, the appellants each possess the required experience. The examination was cancelled, and based on the documentation submitted and under these circumstances, good cause exists to accept the appellants' out-of-title work experience to satisfy the requirements for the Public Information Assistant examination.

### ORDER

Therefore, it is ordered that these appeals be granted, the examination cancellation be rescinded, and the appellants' applications be processed.

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 18<sup>th</sup> DAY OF DECEMBER, 2019



Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

c: Madeline Guzman  
Dulcelina Pena  
Valerie Stutzman  
Kelly Glenn  
Records Center