

## STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Lisa Stafford, Management Assistant (PC2389W), Camden County

CSC Docket No. 2019-3244

**Examination Appeal** 

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**ISSUED:** July 16, 2019 (RE)

Lisa Stafford appeals the decision of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Management Assistant (PC2389W), Camden County.

The subject promotional examination had a closing date of September 21, 2018 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any title, and who met the announced requirements of possession of a Bachelor's degree, and one year of experience performing complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures. Applicants who did not possess the required education could substitute additional experience as indicated above on a year for year basis with thirty semester hour credits being equal to one year of experience. The appellant was found to be below the minimum requirements in experience per the substitution clause for education. The examination was canceled on May 10, 2019 since there were no eligible applicants.

On her application, the appellant indicated that she possessed 60 college credits. As such, she was required to possess three years of applicable experience. She listed seven positions; Principal Data Machine Operator; Senior Data Machine Operator; Senior Account Clerk Typist; Account Clerk Typist; Data Entry Machine Operator; Clerk 1 and Merchant Service Representative with Chemical Bank N.J.

N.A.. None of her experience was accepted and thus, per the substitution clause for education, she was found to be lacking three years of applicable experience.

On appeal, the appellant argues that for the last four and a half years she has been working in the Administrative Unit and deals with the Prosecutor, First Assistant Prosecutor and Chief of Staff. She provides evidence of her education and extensive duties for each position.

## 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.

The Division of Agency Services correctly determined that the appellant was not eligible for the subject examination. Incumbents in clerical titles are not assigned professional level duties of complex administrative support work. Agency Services contacted the appointing authority for verification of out-of-title duties, and it chose not to respond. As such, a basis for accepting out-of-title experience has not been presented. As the appointing authority has not supported the appellant's claim of out-of-title work, the appellant lacks three years of qualifying experience per the substitution clause for education.

If the appellant believes she is performing a majority of out-of-title duties on a daily basis, she should request a classification review of her position.

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

## **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 9<sup>th</sup> DAY OF JULY, 2019

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