



**STATE OF NEW JERSEY**

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

In the Matter of Tammy Hanak and  
Shakia McClinton, Fiscal Analyst  
(PS9769U), Department of the  
Treasury

Examination Appeals

CSC Docket Nos. 2020-1420  
2020-1383

**ISSUED:** January 16, 2020 (RE)

Tammy Hanak and Shakia McClinton appeal the decisions of the Division of Agency Services (Agency Services) that, per the substitution clause for education, they did not meet the experience requirements, for the promotional examination for Fiscal Analyst (PS9769U), Department of the Treasury. These appeals have been consolidated due to common issues presented by the appellants.

The subject promotional examination announcement was issued with a closing date of May 21, 2019 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 competitive title and who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and one year of experience in the collection, analysis, evaluation, and presentation of financial data used to provide an accurate accounting of administrative and operating costs, and the preparation of reports containing conclusions and recommendations for a private business or government agency. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis with 30 semester hour credits being equal to one year of experience. A Master's degree in Business Administration, Public Administration, Accounting or Finance could be substituted for the one year of required experience. One candidate appeared on the eligible list and was appointed.

Hanak indicated on her application that she possessed 16 college credits. However, her transcript shows completion of 9 college credits, which prorate to

three months of experience. As such, she was required to possess four years, nine months of applicable experience. On her application, Hanak listed experience in the following positions: provisional Fiscal Analyst from July 2013 to the May 2019 closing date, Principal Audit Account Clerk, and Clerk. Hanak omitted her Senior Clerk position. None of her experience was accepted, and she was found to lack four years, nine months of applicable experience.

McClinton indicated on her application that she possessed 21 college credits, which prorates to eight months of applicable experience. Thus, per the substitution clause for education, she was required to possess four years, four months of applicable experience. She listed the following positions on her application and resume: First Notice of Loss Associate (part-time, 18 hours per week) with NJM Insurance; Technical Assistant 1 (full-time, overlaps with the first position), Customer Service Representative (part-time, 20 hours per week, overlaps with second position) with Wegmans Food Markets, Senior Clerk (full-time, overlaps with the third position), Clerk Typist, and Intern. Official records indicate that McClinton was a provisional Fiscal Analyst from February 2019 to the May 2019 closing date. She was also a Technical Assistant 2 for the majority of the time that she indicated she was a Technical Assistant 1. None of this experience was accepted and McClinton was found to be lacking four years, four months of experience.

On appeal, each appellant maintains that she accrued the required experience in the positions listed on the application. Further, Hanak provides a more extensive description of her duties and includes reports of financial data. McClinton indicates that she has five years of paraprofessional experience as a Technical Assistant 1, and she indicates that a classification review of her position in 2012 indicated that the duties warranted a Technical Assistant 2 position. She provides an unsigned, undated, incomplete Position Classification Questionnaire (PCQ) which lists duties and for which she was seeking a Technical Assistant 1 classification. She states that afterwards she was assigned additional duties, including training an Administrative Analyst 1. McClinton indicates that she has completed 27 college credits to date.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a)2 states that applicants for promotional examinations must meet all requirements by the announced closing date. *N.J.A.C.* 4A:4-2.6(c) provides that except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

A review of appellants' descriptions of duties in their positions indicates that each does not possess the required amount of applicable experience. At the outset,

it is noted that titles are categorized as professional, para-professional or non-professional. *N.J.A.C.* 4A:4-2.5(a)1 states that professional titles require at least a Bachelor's or higher level degree, with or without a clause to substitute experience. Thus, since the Fiscal Analyst title requires completion of a Bachelor's degree with a substitution clause, which permits additional experience in lieu of the college credits, as well as one year of relevant experience, it is considered a professional title. Further, professional work is basically interpretive, evaluative, analytical and/or creative requiring knowledge or expertise in a specialized field of knowledge. This is generally acquired by a course of intellectual or technical instruction, study and/or research. *See In the Matter of Lewis Gordon* (Commissioner of Personnel, decided September 27, 1997) (Youth Worker title series not considered to be at a level and scope consistent with professional experience).

Conversely, *N.J.A.C.* 4A:4-2.5(a)2 states that para-professional titles require at least 60 general college credits or 12 or more specific college credits, with or without a clause to substitute experience. Also, *N.J.A.C.* 4A:4-2.5(a)3 states that non-professional titles require less than 60 general college credits or less than 12 specific college credits. The titles Technical Assistant 1 and 2 are paraprofessional, as they require completion of at least 60 general college credits. The titles Principal Audit Account Clerk, Clerk Typist, and Clerk are non-professional titles, since they require no college credits. There is no bridge title for Fiscal Analyst.

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. The appellants' non-professional and para-professional positions do not match the announced experience requirement, do not have the announced experience requirement as the primary focus, and do not rise to the level and scope of the announced experience requirement. An experience requirement that lists a number of duties which 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).

Applicants for the subject examination were required to demonstrate that they possessed experience in the collection, analysis, evaluation and presentation of financial data used to provide an accurate accounting of administrative and operating costs, *and the preparation of reports containing conclusions and recommendations* for a private business or government agency. In the instant matter, neither the appellants' application nor the clarifying information submitted on appeal demonstrates that the appellants made conclusions or recommendations in the reports generated as an employee with Treasury. Merely submitting fiscal

reports in an accounting format does not establish eligibility. The Fiscal Analyst must go beyond accounting or mathematics, and analyze the data collected to arrive at conclusions or recommendations for improvement. Among other duties, the Fiscal Analyst provides technical advice on fiscal matters and problems, monitors internal financial controls, participates in the preparation of the program budget, reviews expenditures for compliance with budget policies, and analyzes and verifies program expenditures and project fiscal impacts.

Hanak listed her experience in her provisional position as:

Provides various financial support for Public Broadcasting and the Office of Administrative Law including accounts receivables, payables, monthly status reports including projections, quarterly spending plans, salary funding and expenditure projections using various databases. Some data bases utilized regularly include Business Objects, NJCFS, MACSE, TABS, Report Manager and SharePoint. Develops and designs customized reports using proficient knowledge of Excel, Word and Access. Analyzes and ensures all financial data, required forms and agency information was correctly processed in compliance with departmental regulations, NJCFS guidelines and corresponding circular Letters. Provides completion, accuracy monitoring and compliance of daily, monthly, quarterly and annual financial documents such as vouchers or requisitions containing the budgeting of large purchases completed over multiple fiscal years. Maintains close interaction and gives clear concise assistance to Fiscal Managers as it relates to inquiries, corrections, overpayments and charges to agencies. Coordinates, consolidates, finalizes and distributes divisional quarterly spending plans to OMB on a quarterly basis.

While the performance of these duties requires some fiscal analysis, this is clearly not the primary focus of this position. The same is true for Hanak's prior positions. The "preparation of reports containing conclusions and recommendations" as listed in the experience requirement pertains to fiscal reports generated as a result of collection, analysis, and evaluation of administrative and operating costs. Hanak was found ineligible for the examinations for Fiscal Analyst (PS2916U), (PS4613U), and (PS9206U), but has remained in her provisional position since July 27, 2013.

McClinton included her provisional experience with her position Technical Assistant 1. For that position, she listed her duties as:

Assist Division Directors and client agency staff providing technical advice and training including the daily oversight and coordination of daily fiscal activities for seven Treasury divisions to ensure the

accounting and procurement methods are consistent with Treasury, OMB, and Purchase Bureau rules and regulations. Participates in the preparation of monthly Director Reports ensuring expenditures are in compliance with budget polices and projections. Analyze system expenditures and prepare reports tracking various Divisions' spending activity by category and quarterly expenditures for all eight Treasury division accounts assigned to Manager. Responsible for reconciliation of revenue accounts to monthly budget projections, investigating and correcting any differences. Review and analyze Procurement Requests, Travel Vouchers, and Payment Vouchers to determine most effective method of procurement. Review for accuracy and recommend appropriate action on requisitions, obligations, purchase orders, and fund transfers for all purchasing and fiscal transactions. Utilize credit card to complete procurement requests consistent with departmental policies. Review and analyze all vendor or employee invoices submitted for payment and ensure they are prepared consistent with all established rules and regulations. Review and analyze all monthly central account billings. Create and maintains records and files for seven divisions in compliance with internal financial controls.

It is noted that the appellant had a desk audit in 2012 which determined that her duties were consistent with Technical Assistant 2. As a result, the appellant received a provisional appointment to that title on May 4, 2013, and a regular appointment to that title on August 18, 2016. She then received a regular appointment to Technical Assistant 1 on July 7, 2018. The appellant filed for a previous examination for Fiscal Analyst (PS4613U) in July 2017, and was found to be ineligible. For that examination, the appellant listed her duties as a Technical Assistant 1 as the same duties. They were out-of-title duties and were not accepted. It is interesting to note that these same duties were included in the undated PCQ for which McClinton was seeking a Technical Assistant 1 classification. Ms. McClinton's experience outside of State service is inapplicable.

The appellants' provisional positions may be misclassified. Based on her rejection from multiple promotional examinations for the title under test, it appears that Hanaks' position is inappropriately classified. Based on the duties on her application, McClinton's position may be misclassified as well. As such, Agency Services should perform classification reviews of these positions. If it is determined that they are properly classified, another examination can be announced. If they do not meet the announced requirements, they should be removed from provisional positions as Fiscal Analyst.

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 are 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.

**ORDER**

Therefore, it is ordered that these appeals be denied, and the matter of the appellants' position classifications be referred to Agency Services for review.

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 15<sup>th</sup> DAY OF JANUARY, 2020



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