



STATE OF NEW JERSEY

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

In the Matter of Kisha Finger,
Storekeeper 2 (S2163W),
Bayside/Southern State Correctional
Facility

Examination Appeal

CSC Docket No. 2020-103

ISSUED: January 16, 2020 (RE)

Kisha Finger appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the open-competitive examination for Storekeeper 2 (S2163W), Bayside/Southern State Correctional Facility.

The subject examination announcement was issued with a closing date of August 21, 2019 and was open to residents of (1) Maurice River Township, (2) Cumberland and Cape May Counties, and (3) Salem County, who possessed three years of experience in stockroom work, including the obtaining, recording, storing, safeguarding and issuing of varied types of equipment, materials and supplies and in maintaining records thereof. Residents must have resided within the municipality, county or contiguous counties for at least six months. The appellant was found to be below the experience requirements. Three candidates were on the eligible list, which was certified once, and one appointment was made.

The appellant listed the following positions on her application and resume: provisional Storekeeper 2; Instructional Technician, Secured Facilities; Teaching Assistant; Substitute Teacher (part-time, 30 hours per week); Employee Selection Specialist with Showboat Casino Hotel; Assistant Manager with Bebe, Inc; Assistant Manager with Limited Express, Inc.; Assistant Manager with Charlotte Russe Holdings, Inc.; and Sales Lead with Macys. She was credited four months of experience in her provisional position, and was found to be lacking two years, eight months of experience.

On appeal, the appellant argues that she is a provisional in the subject title, and meets the requirements as she has 40 months of retail management and merchandising work experience, which is over the required three years. She provides one list of duties for her positions as Assistant Manager with Bebe, Inc; Assistant Manager with Limited Express, Inc.; Assistant Manager with Charlotte Russe Holdings, Inc.; and Sales Lead with Macys. She provides a revised resume listing these positions and including the following duty for each, “as well as stockroom work and the obtaining, recording, storing, safeguarding, and issuing varied types of equipment, materials and supplies. Also maintained store files and records.”

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

Initially, it is noted that eligibility for a given examination is determined based on the information provided on the application. The application states, “You may be declared ineligible or you may not receive proper credit for scoring purposes if you do not properly complete your application,” and “Since your application may be your only ‘test paper,’ be sure it is complete and accurate. Failure to complete your application properly may cause you to be declared ineligible, lower your score, or possibly cause you to fail.” The published announcement also clearly specifies the relevant time frames for filing and amending applications. Also, for experience to be acceptable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. The amount of time, and the importance of the duty, determines if it is the primary focus. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004).

On appeal, the appellant indicates that she performed the announced experience in this position, her two other Assistant Manager positions in retail stores, and her Sales Lead position. Nonetheless, the appellant’s initial application did not include stockroom work for any of her positions, although she ordered supplies while in her positions as Assistant Manager for Bebe, Inc. For Bebe, Inc., she listed her duties as, “Daily employee work scheduling, merchandise placement and management, ordering supplies, maintaining store production and inventory levels, and implementing rules and regulations.” For Limited Express, Inc., she listed her duties as, “Responsible for daily store operations in various locations throughout NJ and PA.” For Charlotte Russe Holdings, Inc., she listed her duties as, “Recruitment of staff for new store opening, store setup, merchandise placement, organization of loss prevention tactics and inventory control, and daily store operations.” For Macys, she listed her duties as, “Merchandising, processing and placement of new merchandise according to corporate plans, and implementing company’s short and long-term goals.” Clearly, stockroom work was not the primary focus of these positions.

The appellant has supplied six other applications for various examinations, and two of them included these positions, Claims Investigator (M0581V) and Program Development Specialist 2 (S2392N). These applications were checked to verify that stockroom work was the primary focus of these positions. On those applications, the appellant listed her duties for Bebe, Inc. as, "Assistant Manager in charge of daily store operations including scheduling of staff, the placement of new merchandise, and inventory control," and "Scheduling store employees, Merchandise placement, Facilitating staff meetings, Daily store operations." For Limited Express, Inc., she listed her duties as, "Responsible for daily store operations for various store locations such as Hamilton Mall in Mays Landing, Echelon Mall in Voorhees, Liberty Mall in Philadelphia, and Deptford Mall in Deptford. Main responsibilities include store set up, loss prevention and inventory control, merchandising, and scheduling," and "Daily store Operations Locations included Hamilton Mall in Mays Landing, Echelon Mall in Voorhees, Liberty Mall in Philadelphia, and Deptford Mall in Deptford, NJ." For Charlotte Russe Holdings, Inc., she listed her duties as, "Assisted with new store opening. Responsibilities included recruiting for staff, store set up, and general store operations," and "Recruitment of staff for new store opening Scheduling of staff Store set up and merchandise placement Daily store operations." For Macys, she listed her duties as, "Responsible for merchandising all Women's Ready-To-Wear Departments as well as the processing of new receipts to get them ready to go out to the sales floor. Other responsibilities included hanging and folding merchandise, and occasionally ringing up sales on the register," and "Merchandising of Women's Ready to Wear Departments Processing of all new merchandise."

If stockroom work were the primary focus of these positions, the appellant did not indicate it on three applications. Therefore, the record does not reflect that she performed stockroom work including the obtaining, recording, storing, safeguarding and issuing of varied types of equipment, materials and supplies and in maintaining records thereof while in those positions. The appellant lacks two years, eight months of experience as of the November 2018 closing date.

The appellant was denied admittance to the subject examination since she lacked the minimum requirements in experience. An independent review of all material presented indicates that the decision of Agency Services, that the appellant does 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 15th DAY OF JANUARY, 2020



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: Kisha Finger
William Saraceni
Kelly Glenn
Records Center