



**STATE OF NEW JERSEY**

In the Matter of Patrick Aufiero,  
Clerk 3 (M0262C), Hopatcong

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

CSC Docket No. 2022-808

Examination Appeal

**ISSUED: DECEMBER 20, 2021  
(SLK)**

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Patrick Aufiero appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the open competitive examination for Clerk 3 (M0262C), Hopatcong.

The subject examination had an August 23, 2021 closing date. The experience requirements were two years of experience in clerical work, one year of which must have been performing duties at or equivalent to the Clerk 2 level. A total of 12 individuals applied for the subject examination and two were found eligible. Certification OL210907 was issued containing the names of the two eligibles and its disposition is due December 27, 2021. The list expires on September 22, 2024.

On the appellant’s application, he indicated that he was a provisionally serving in the subject title from June 2021 to the August 23, 2021 closing date, a 30-hour per week Liquor Store Clerk for Liquor Factory from January 2021 to July 2021, and a 17-hour per week Food Service Worker for Pub 199 from May 2017 to June 2021. Agency Services credited him with 10 months of experience based on his three months of provisional service in the subject title and seven months of prorated experience as a Liquor Store Clerk, but determined that he lacked one year and two months of experience.

On appeal, the appellant highlights that he graduated college in May 2021 with an economics degree and a certificate of undergraduate studies in Spanish. He presents that he was accepted into the Omicron Delta Epsilon Honor Society for Economics. The appellant describes how he performs the required duties while serving provisionally in the subject title. He states that in December 2020, he began

working for a consulting company where he performed clerical duties for several months. Additionally, the appellant describes how he performed clerical duties while working at a liquor store. Also, he states that while in college, he was involved in group projects where he developed regression models, demand estimates, and income distributions, assigned and instructed others, performed tasks within a given time frame, and used complex arithmetic calculations. The appellant presents that as a member of a fraternity for over two years, he performed many clerical duties.

### CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date.

*N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

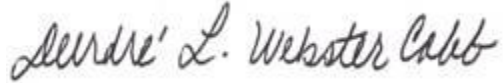
In this matter, Agency Services correctly determined that the appellant was ineligible for the subject examination. Specifically, the appellant had 10 months of experience based on his provisional service in the subject title and his experience as a liquor store clerk, but lacked one year and two months of experience. Concerning the appellant's experience for a consulting firm starting in December 2020 which he presents on appeal, the appellant indicated on his application that he had an internship from January 2021 to April 2021. It is unclear if this experience is the same as the consulting experience. However, even if it was, as the appellant did not describe his experience in this position on his application, Agency Services correctly did not credit him for it. Further, even if the appellant was to receive credit for it based on his appeal, this would still only be five months of experience (December 2020 to April 2021), and he would still lack nine months experience by the closing date. Moreover, the appellant's clerical duties while working in group projects for school or on behalf of his college fraternity are not applicable as only experience in a work setting is considered. Additionally, his provisional service after the closing date cannot be considered. *See N.J.A.C.* 4A:4-2.3(b)2. Finally, even if his after the closing date experience was considered, this would only be provide him an additional four months of experience (September 2021 to December 2021) and he would still lack 10 months of experience or five months if his experience for the consulting firm was also credited.

### ORDER

Therefore, it is ordered that the 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 15<sup>TH</sup> DAY OF DECEMBER, 2021



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