



the closing date<sup>1</sup>, a Confidential Secretary from June 2016 to January 2020, an Administrative Clerk from August 2009 to June 2016, a Senior Account Clerk from January 2008 to August 2009, and an Account Clerk from June 2002 to January 2008. Per the substitution clause for education, Agency Services determined that she lacked nine years of general experience and two years of supervisory experience.

On appeal, the appellant asserts that when she was promoted to Administrative Clerk in August 2009, she started managing Human Resources and supervising Payroll Administration and Finance. The appellant indicates that in this position she managed three employees, a Payroll Account Clerk, an Accounts Payable Account Clerk and an Accounts Receivable Account Clerk. She describes her payroll duties as processing all information for new hires, terminations and retirees. Further, the appellant states that she is the Certifying Officer for pensions and she processes quarterly pension reports, and reconciles and submits invoice payments. She indicates that she provides assistance and billing to the Township Library's pension and health benefit coverage. The appellant states that she monitors unemployment reports, verification of employment, and the proration of vacation, sick and compensation time. She presents that she calculates salary and wage sheets following four ordinances for the payroll input. The appellant indicates that she surveys salary and wage contracts and ordinances of surrounding local government municipalities to review if there are any problem with classification or wages in the Township. She states that she adheres to strict Civil Service guidelines regarding job descriptions, titles and classification and oversees personnel to correct data input. The appellant also represents that she is the coordinator for employees who request statutory leave time. She also deals with Worker's Compensation claims as she receives the initial information/accident reports, is the liaison with insurance companies and medical management companies and verifies and forwards information to internal and external parties. She also maintains a log and a submits yearly OSHA reports to the State and to the administration. Concerning insurance benefits, the appellant indicates that she monitors, records, and updates all employee information and insurance choices. She presents that she maintains confidential reports and records and verifies and reconciles billing information for health, dental, and vision invoices for all employees, retirees, and COBRA personnel. The appellant further indicates that she is the liaison for the Township's insurance companies and for the State Health Benefits Plan. She assists employees in preparing forms according to the guidelines in the personnel manual. The appellant analyzes and prepares reports and costs analysis to assist the administration for future budgeting and contracts.

The appellant indicates that in January 2016, she was appointed as a Confidential Secretary to avoid any conflicts of interests so that she would not have a title associated with any unions as she assists the administration in contract

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<sup>1</sup> Personnel records also indicate that on the same day the appellant was provisionally appointed to the subject title, she was also an Administrative Clerk for that one day.

negotiations with several unions. She presents that she calculates the salary and wage ordinances for the three union contracts and for non-union salary and wage ordinances. The appellant amends ordinances to reflect contract changes or budget increases and she assists in the preparation and amendments to personnel manuals and policies.

The appellant highlights that she received a certificate from Fairleigh Dickinson University's Saturday College Program and she received a certificate after attending a Chief Financial Officers' Workshop at Rutgers University. She notes that she attended many seminars on various personnel-related issues. The appellant also recently received a certificate for completing the State's Domestic Violence Training and she earned credits from the New Jersey League of Municipalities and the Institute of Professional Development.

### 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 that, except when permitted for good cause, 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.

*N.J.A.C. 4A:4-6.3(b)* provides, in pertinent part, that the appellant shall have the burden of proof in examination appeals.

In this matter, a review of the appellant's application and appeal indicates that Agency Services correctly determined that she did not possess the required experience. Initially, it is noted that if the appellant had been performing the required duties as an Administrative Clerk, these would be out-of-title duties, confirmation from the appointing authority would be required. No such confirmation has been provided. Moreover, a review of the appellant's duties indicates that while there may be some aspects of the required experience in her described duties, she is primarily performing administrative and/or clerical duties and not supervisory personnel duties. Further, there is no indication that she has two years of experience where she primarily had responsibility for a major personnel program such as handling personnel problems or coordinating training. 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). It is also noted that the appellant's certifications and workshop attendance are not a substitute for the education or experience requirements. Accordingly, there is no basis to find the appellant eligible for the subject examination. Further, as the record is not clear whether the appellant is

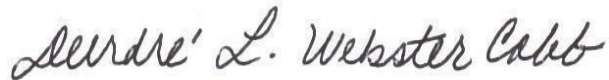
primarily performing the duties of the subject title, the Civil Service Commission finds that appellant's position classification be referred to Agency Services for review.

**ORDER**

Therefore, it is ordered that the appeal be denied, and the classification of Maryann Horan's provisional position be referred to Agency Services for further 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 1<sup>ST</sup> DAY OF SEPTEMBER, 2021



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