



STATE OF NEW JERSEY

In the Matter of Elizabeth James,
Management Assistant (M0252C),
Trenton

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

CSC Docket No. 2022-900

Examination Appeal

ISSUED: FEBRUARY 7, 2022 (SLK)

Elizabeth James appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the open competitive examination for Management Assistant (M0252C), Trenton.

The subject examination had an August 23, 2021 closing date. The education requirement was a Bachelor’s degree. The experience requirements were 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 have substituted additional experience as indicated on a year-for-year basis. A total of 18 individuals applied and seven were found eligible. Certification OL210949 was issued containing the names of the names of the seven eligibles and its disposition is outstanding. The list expires on October 6, 2024.

On the appellant’s application, she indicated that she possessed 54 college credits. She also indicated that she was provisionally serving in the subject title from June 2021 to the August 23, 2021 closing date, an Administrative Secretary from May 2019 to June 2021, and a Legal Secretary from March 2016 to May 2019. Personnel records indicate that she was provisionally serving in the subject title from June 2021 to the August 23, 2021 closing date, an Administrative Secretary from December 2019 to June 2021, a Legal Secretary from March 2016 to December 2019, a Keyboarding Clerk 1 from January 2008 to March 2016, and a Customer Service Representative from November 1995 to August 2008. Per the substitution clause, Agency Services

credited the appellant with three years and six months of experience, but determined that she lacked one year and six months of experience.¹

On appeal, the appellant describes how she has been providing administrative support services for over five years. She also submits a letter of support from the current Director of Law who indicates that he began working with the appellant as outside counsel in March 2016 and he describes how she performed the required duties at that time as well as her current duties. Additionally, the appellant submits a letter in support from a former Assistant City Attorney and Law Director from September 2017 to December 2021, where he describes how she performed the required duties during this time.

CONCLUSION

N.J.A.C. 4A:4-2.1(g) provides that the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted.

Initially, Agency Services correctly determined that the appellant was not eligible as she did not clearly articulate on her application that she primarily performed the required duties as a Legal Secretary. However, on appeal, her former and current supervisor verify how she primarily performed the required duties since March 2016. It is noted that the required duties for the subject title are out-of-title for an individual serving as a Legal Secretary. However, given that the examination is open competitive and not promotional, there is no prohibition to accepting out-of-title work. *See In the Matter of James Raymond, et al.* (MSB, decided January 28, 2004). Therefore, the Commission finds that the appellant has sufficiently clarified that she has been performing the required duties for more than the required time by the closing date. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004). Accordingly, her application should be processed for future employment opportunities. The appellant is cautioned to, in the future, fill out any applications completely, accurately and as indicated in the instructions. Failure to do so will result in his ineligibility for future examinations.

¹ The appellant received credit for one year and nine months of based on her 54 college credits. Her additional one year and nine months of experience is based on her provisional service in the subject title and her Administrative Secretary experience. Further, this experience was calculated based on personnel records indicating that she started as an Administrative Secretary in December 2019 and not May 2019 as indicated on her application.

ORDER

Therefore, it is ordered that the appeal be granted, and the appellant's application be processed for prospective employment opportunities only.

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 2ND DAY OF FEBRUARY 2022

Deirdre' L. Webster Cobb

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