



STATE OF NEW JERSEY

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

In the Matter of Michele Santelli,
Management Assistant (PC2805B),
Atlantic County

Examination Appeal

CSC Docket No. 2022-52

ISSUED: MARCH 4, 2022 (RE)

Michele Santelli appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Management Assistant (PC2805B), Atlantic County.

The subject examination announcement was issued with a closing date of October 21, 2020, and was open to employees in the competitive division who were serving 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 performing complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures. The appellant was found to be below minimum requirements in experience per the substitution clause for education. As she was the sole applicant, the examination was cancelled on July 8, 2021.

The appellant indicated on her application that she possessed 78 college credits, which prorates to two years, seven months of experience. As such, she was required to possess two years, five months of qualifying experience. The appellant listed four positions on her application and resume, provisional Management Assistant; Realtor Associate/Administrative Assistant (self-employed part-time, 10 hours per week, overlaps with positions one, three and four); Keyboarding Clerk 3; and Associate Supervisor with Borgata Hotel Casino and Spa. She was credited

with seven months of applicable experience in her provisional position, and as such, she was found to be lacking one year, ten months of qualifying experience.

On appeal, the appellant states that she possesses the required experience, and she provides one list of duties from February 2018 to the October 2020 closing date, a period of time in which she held two positions, Management Assistant and Keyboarding Clerk 3. Thus, she appears to be claiming to do out-of-title work based on these new duties for her Keyboarding Clerk 3 position. She also provides four duties for her Associate Supervisor position with Borgata Hotel Casino and Spa which she states are applicable: administrative support to managers; evaluating customer financial data; interpreting policies and procedures to new employees; and “providing support of organizations, policies and how disseminated to other staff.” In support, the appellant’s supervisor, the Chief of Administrative Services (working title)¹, states that the appellant meets the minimum qualifications for the examination with her college credits, provisional experience, and her experience as a Keyboarding Clerk 3. She also maintains that the appellant’s experience as an Associate Supervisor with Borgata Hotel Casino and Spa is applicable, as she provided administrative support to managers by performing research, and gathering data for daily revenue reports.

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 may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

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 Management Assistant 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 relevant experience, it is considered a professional title.

The appellant’s prior held titles do not require a Bachelor’s degree and therefore are not professional titles. *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, while *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 (but less than a full degree). As such, the title Keyboarding Clerk 3 is considered a non-professional title since it does not require completion of any college credits. In

¹ The supervisor’s Civil Service title is Office Services Manager.

addition to the requirement of a Bachelor's degree, 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). Experience acquired in para-professional or non-professional titles does not technically satisfy the requirements for eligibility in higher level category titles. *See In the Matter of Irma Camilo* (MSB, decided February 9, 2005). It is noted that N.J.A.C. 4A:3-3.4 contemplates that employees are appointed to a title appropriate to the duties to be performed in the title and will not be assigned duties other than those properly pertaining to the assigned title which the employee holds. *See In the Matter of William Moore* (MSB, decided May 10, 2006).

On appeal, the appellant maintains that she performed duties matching the experience requirements of Management Assistant while in the title Keyboarding Clerk 3. In this regard, the majority of the duties listed on her application are clerical in nature, and are not similar to the announced experience requirements, which are professional administrative support duties. As a Keyboarding Clerk 3, the appellant stated that she acted as a primary assistant to the Chief of Administrative Services. She stated that she assisted her supervisor and the Executive County Superintendent of Schools in the absence of his assistant. Her duties included clerical work such as data entry and composing documents; scheduling and attending meetings to take and distribute minutes; assisting with budget development and projections; processing all accounts payable, reimbursements and invoices; ordering supplies; creating, maintaining and processing file requests for file retention and destruction; being a lead worker of clerical staff; processing time sheets and other documents in the supervisor's absence; data entry of fiscal documents such as invoices and purchase orders; assisting others with the use of software and equipment; and assisting her supervisor with annual recognition programs. The only professional duty in this list is assist with budget development and projections, and therefore Agency Services found that the primary focus of this position was clerical.

Further, the appellant's supervisor holds the Civil Service title of Office Services Manager. The Office Services Manager title requires experience, but no education, and therefore, is a non-professional title. This title is responsible for directing, planning and coordinating a variety of office support services and supervising employees engaged in providing those services. In contrast, the professional management group consists of titles not at the very top of service which formulate policies and practices, and supervise at least second-level supervisors. The appellant's supervisor's title is not in the professional management group. The appellant was credited with experience in her provisional position although she was not performing the work of a Management Assistant.

The Management Assistant title is responsible for coordinating the management or administrative activities of an assigned work area and compiling information for the budget in order to develop the annual budget. Incumbents in this title are expected to perform professional work only, which does not include supervision of clerical staff. In accordance with classification standards, positions that provide essential secretarial and/or clerical support services, perform such activities as time and attendance reporting, or perform fiscal activities such as bookkeeping are not Management Assistants. Also, the Management Assistant position is not expected to perform high-powered secretarial duties. The Management Assistant has the ability to simultaneously provide administrative services to more than one manager, although positions providing these services on a temporary or short-term basis shall not be included in this class. Work is typically assigned on a project basis and generally does not include recurring or repetitive review of information or data.

Each position can have only one primary focus, and the duties performed most of the time and the importance of those duties, or the preponderance of the duties, identify the primary focus of the position. For her provisional position, the appellant states on her application that she “assists” her supervisor with various activities such as shared projects and programs, and coordination of the New Jersey Quality Single Accountability Continuum (NJSAQ). These tasks are nebulous and do not provide a description of actual tasks. She goes on to say that she gathers and organizes data for reports, collects and merges data, communicates, organizes and sets up training, communicates dates for “full and interim districts,” assists in reviewing contracts, assists with budget development and projections, researches (unspecified) and makes recommendations to her supervisor, does bookkeeping tasks, assists with preparation of Human Resources documents, assists in media-related research and reporting, acts as liaison, schedules meetings and assigns duties to clerical staff. While some of these duties are professional, some are also clerical. This list of duties does not establish that the appellant is primarily performing complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures, and do not evidence the work of a Management Assistant.

On appeal, the appellant provides one list of duties for her provisional position and her position as Keyboarding Clerk 3. She elucidates her assistance to her supervisor regarding shared projects and programs as assists with: coordinating the NJSAQ with the New Jersey Department of Education (NJDOE) and school districts; gathering and organizing data for NJSAQ reports; gathering data from school districts; communicating with NJDOE and school districts to ensure all data is collected; providing support to training activities and answering questions regarding processes; scheduling; liaising with NJDOE and school districts and gathering internet information for meetings and projects; planning for the Equity

Steering Committee meeting; developing power point presentations for the Equity Steering Committee; coordinating, attending and preparing for the planning collaboration with the Greater Atlantic City Chamber of Commerce; creating and presenting in this planning collaboration, and providing support for this and for other groups. This assistance is supportive in nature, but does not rise to the level and scope of complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures. Even if her Keyboarding Clerk 3 duties were to be accepted as out-of-title work, the appellant would have four years, one month of applicable experience and would still fall short of the required five years of experience.

The appellant's duties as an Associate Supervisor for Bogata Hotel Casino and Spa included interacting with customers, and supervision of staff. As a Realtor, the main focus of the position is to manage and sell real estate, not to provide administrative support work. These positions are inapplicable.

The requirements of *N.J.S.A. 11A:4-13(b)* allow for an appointing authority to certify that an appointee meets the minimum qualifications for the title at the time of appointment, but the fact that the appointing authority erroneously determined that a provisional appointee satisfies the minimum qualifications for the title prior to an actual eligibility determination by this agency, does not automatically establish a presumption of eligibility when the examination is announced. *See In the Matter of Cynthia Bucchi, Maria D'Angelo, Rosalind R. James, Carla M. Lewis, and Rhonda McLaren, Management Assistant (PS5831F), Department of Education, Docket No. A-1266-04T2 (App. Div. February 27, 2006).* Additionally, the appellant's position appears to be misclassified. Accordingly, a classification review of the appellant's position is necessary to determine its proper classification.

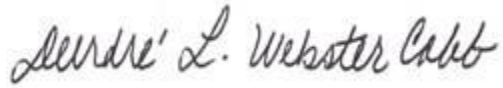
An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support her burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied, and the matter of the appellant's position classification 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 2ND DAY OF MARCH, 2022



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