

Agent from July 2020 to October 2021; Clerk 3 from August 2014 to July 2020; Keyboarding Clerk 1 from July 2013 to August 2014; Data Control Clerk from June 2012 to July 2013; Data Control Clerk Typing from September 2001 to June 2012; Keyboarding Clerk 1 from December 1999 to September 2001; Personnel Clerk Typing from September 1996 to December 1999; and Keyboarding Clerk 1 from January 1994 to September 1996. None of this experience was found to be applicable, and Evans was found to be lacking two years of qualifying experience.

Oderinde listed five positions on her application and resume: Clerk 3 from July 2020 to October 2021; Coordinator from May 2017 to June 2020; Client Relations Officer with Michael Fageyinbo, CPA, LLC, from January 2014 to December 2016; Head of Operation/Customer Service with Pixels Systems Limited from April 2011 to December 2013; and Adjunct Teacher from June 2008 to March 2011. Official records differ from this appellant's listing also, as they indicate that she was hired as a Clerk 3 in May 2017. None of this experience was found to be applicable, and Oderinde was found to be lacking two years of qualifying experience.

On appeal, Evans states that she has twenty years of experience in procurement, requisitions, contracts and purchasing. She provides the professional summary, and a summary of skills as listed on her resume. Then the appellant lists thirty duties, without providing any clarifying details such as the titles in which she performed these duties, and length of time she performed such duties.

Oderinde claims that she has vast experience and provides a list of twenty responsibilities that she states were not listed on her application but which she performs daily. She also provides an updated resume.

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.

N.J.A.C. 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date.

It is a basic principle of Civil Service law that, in order to be eligible for a position, an individual must meet or exceed the minimum education and experience requirements for such a position. 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). The Civil Service Commission (Commission) receives hundreds of thousands of applications a year and test eligibility must be determined from the application in order to meet administrative responsibilities and to establish uniform and fair requirements for all candidates. *See In the Matter of Pamela B. Ward*

(CSC, decided June 7, 1984). The amount of time, and the importance of the duty, determines if it is the primary focus. An experience requirement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they primarily performed all of those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience. *See In the Matter of Jeffrey Davis* (MSB, decided March 14, 2007). Lastly, one position cannot have more than one primary focus.

A review of Evan's application reveals that she may be misclassified as a provisional Senior Purchasing Assistant. On her application, Evans indicated her duties were as follows:

Developed and maintained documentation of data systems, standards and procedures - Ensured integrity of data, verifying information regarding data quality and data completeness - Maintained ledger file for all departmental payments for contracted work - Monitored cost and commitment through requisition and invoices review - Ensured active engagement of team members by delegation of task to the appropriate person both on a long term and on a day-to-day basis - Completed all regular and supplemental time reports for the department when needed - Perform all work orders when needed in a system call Schooldude - Handle salary differential for employees - Handle time report for Department of Project Control which estimate 123 employees - Do travel for HVAC - Car Allowance for Tradesmen - Handle over 40 Service contract accounts - Assist all Foreman with payment for supplies - Handle all leave of absence - Monitor Project Control budgetary - Assist with department budget every fiscal year - Assist Building managers when needed - Procurement Contracts - Procurement - Keep an updated spreadsheet of all invoices for Contract vendors Google doc - Research - Complied with State Law and District Policies and regulations - Supervise Interns - Worked on outside projects with Trades - In charge of Elevators and Generators services - Handle all oil deliveries throughout district - Shadow Trades in the field - Processing requisitions daily.

This list of duties does not have the preparation and processing of requisitions and/or in the purchase of equipment, materials, and/or supplies as the primary focus. A Senior Purchasing Assistant takes the lead and/or performs the more responsible and complex work involved in the purchasing of materials and supplies. The appellant's description indicates that purchasing aspects are tangential to her other work. On appeal, Evans provides a list of thirty duties that pertain to vendors, purchasing, and buying. However, a significant addition of additional information would not be considered clarifying information, which may be allowed, but rather, amended information, which is not permitted after the

closing date of an examination under *N.J.A.C. 4A:4-2.1(f)*. See *In the Matter of Annemarie Brahan and Dick Norris* (MSB, decided September 22, 2004) (Training experience not presented on original application was determined to be a significant addition to application and therefore amended, not clarifying, information). In an attempt to verify the new information, the appellant's other applications were reviewed. On a recent application for Principal Fiscal Analyst (M0615B), Newark School District, filed in September 2020, the appellant's duties were the same as those she listed on the current application. Duties of the appellant's position include handling service contracts for contracted work. That includes all data entry of information, maintaining ledgers and files, monitoring costs, ensuring completion of work, tracking work orders, time reports, and leaves, assisting in paying for supplies, obtaining supplies, and tracking invoices. In addition, Evans' prior held positions do not have the announced experience requirement as the primary focus. The appellant was correctly deemed to be ineligible for the subject examination since she lacked two years of required experience. Also, given the variance between her duties and her provisional title, Agency Services should perform a classification review of her position.

On appeal, Oderinde claims that she has vast experience, provides a list of twenty responsibilities that she states were not listed on her application but which she performs daily, and supplies an updated resume with different duties for each of her positions. Foremost, service in a particular title does not automatically establish that the applicant possesses the necessary qualifications for an examination. Applicants must demonstrate on their applications that the duties they perform provide them with the experience required for eligibility. See *In the Matter of Charles Klingberg* (Merit System Board, decided August 28, 2001). The application is not a formality used to schedule examinations as this agency makes official determinations for eligibility for all prospective candidates for position in State or local Civil Service jurisdictions since only those applicants who meet the minimum eligibility requirements are then evaluated through the testing process in order to determine relative merit and fitness. See *In the Matter of Daniel Roach* (Merit System Board, decided October 20, 2004).

Further, out-of-title work is not a factor for open competitive examinations, such as the current examination, as there is no rule which disallows out-of-title work. Oderinde has submitted three applications to date, one for this examination, one for Senior Management Assistant (M0279D) which was announced in February 2022, and one for Clerk 3 (M0569B) which was announced in September 2020. The experience requirements for Clerk 3 are two years of experience in clerical work, one year of which must have been performing duties at or equivalent to the Clerk 2 level. Oderinde received a provisional appointment as a Clerk 3 in May 2017, and this experience was accepted for the examination for Clerk 3 (M0569B). Although on the current application Oderinde bifurcates her experience as Clerk 3 into two

positions, Clerk 3 and Coordinator, she provided the same set of duties for both. Those duties include:

Compiles information/quotes to process requisitions and purchase orders for procurement of materials, supplies, equipment, or service. • Receives and records invoices from vendors, checks to see that goods have been delivered and then forwards to accounts/payable for payment. • Prepare budget transfer as well as keeping track of the approval stages for the department. • Makes plans with vendors to correct situations involving incorrect shipments. • Time card reconciliation for tradesmen (Per Diem and Permanent employee). • Assist with reviewing/processing historical edits for Project Control department. • Review/preparation of salary differentials for approval. • Assist Project Control Departmental Director on various administrative duties. • Review and/or prepare cell phone justification form(s) for approval. • Generating spreadsheets for multiple tasks as needed for the department. • Respond to/route emails /calls regarding day to day tradesmen issues. • Preparation of administrative and informative reports on support of program activities, time and attendance records, absences, terminations, new employees, position change, and statistical records of performance data • Keeps currently informed of new and revised personnel policy statements, regulations, directives, and other communications published by the departmental personnel office, and assist with plans and procedures for implementation of such communications. • Manages calendar for Director, facilitated adherence to strict guidelines, and scheduled appointments. • Arrange various appointments and schedules for meetings, including interviews, departmental meetings, conferences, and other events. • Prepares and compile reports, letters, memorandum and confidential information for the Facilities Management. • Responds to internal and external inquiries on behalf of the departmental Director in the Office of Facilities Management and provides assistance to staff and public for operational efficiency.

Clearly, the primary focus of this position is clerical in nature and contains some aspects of the required experience. As evident from the list, Oderinde does not spend the majority of her time in the preparation and processing of requisitions and/or in the purchase of equipment, materials, and/or supplies. On appeal, the appellant states that she maintains purchase orders, manages vendors, suggests improvements to purchasing operations, supports the procurement team, developed and maintains a “nonconformance parts process,” responds to procurement inquiries from vendors, creates receipts, clears invoices, prepares and reviews purchase order reports, determines purchase orders to be closed, serves as subject matter expert on various procurement processes, is initial point of contact for Purchasing Assistants

to resolve issues, confirms delivery dates, coordinates with salesmen, and reconciles out of balance purchase orders. Again, such a significant addition to the original application would not be considered clarifying information, which may be allowed, but rather amended information, which is not permitted after the closing date of the examination under *N.J.A.C. 4A:4-2.1(f)*. See also *In the Matter of Raymond Powell*, (Merit System Board, decided October 1, 2003).

In a pursuit of verification of these duties, her other applications were reviewed. On her application for Clerk 3, in addition to the extensive clerical duties, the appellant listed her purchasing duties as “Creating purchasing requisitions for goods and materials procurement, prepare budget transfer as well as keeping track of the approval stages and making payments of all goods and materials receivable for Project Control department.” On her application for Senior Management Assistant, Oderinde does not list any purchasing or procurement duties. On that application, the appellant stated that as a Clerk 3 she:

Assisted Management by providing varied, complex administrative services • Managed and coordinated multiple extremely active calendars and ensure schedules are followed and respected • Served as Office Manager; supervised office activities, ordered and maintained office supplies and inventory, wrote and edited business correspondence, and created and organized confidential files • Collaborated closely with Management staff and Foremen/women on Director’s approved projects • Provided subject matter expertise to Human Resources and Legal departments on employee-related matters and training; coordinated all details and catering for employee meetings • Maintained 100% confidentiality of all communications and documentation according to organization's policy • Documented communications, reporting, and schedules as part of my clerical duties • Supervised and provided technical instruction and training to new staff members as needed • Increased office efficiency by 25% by overhauling organization's filing system • Improved communication efficiency as the primary liaison for departments and vendors • Prepared administrative and informative reports on support of program activities, time and attendance records, absences, terminations, new employees and position change • Kept currently informed of new and revised personnel policy statements, regulations, directives, and other communications published by the departmental personnel office • Arranged various appointments and schedules for meetings, including interviews, departmental meetings, conferences, and other events • Prepared and compiled reports, letters, memorandum and confidential information for Facilities Management • Responded to internal and external inquiries on behalf of the

departmental Director in the Office of Facilities Management and provides assistance to staff and public for operational efficiency.

Preparing and processing of requisitions and/or purchasing equipment, materials, and/or supplies duties are completely excluded for Oderinde's current position on the application she submitted for Senior Management Assistant. This indicates that Oderinde is either not principally performing those duties, or is tailoring her duties to the new announced requirements. Given the inconsistent description of her employment history, Oderinde is cautioned to ensure that she provides an accurate employment history for all future examinations to which she may apply. Any failure to do so could result in her removal from the selection process or an order that she provide a notarized application to be used to determine her eligibility for all future examinations to which she may apply. *See In the Matter of Dorothy Burton, Principal Procedures Analyst (S6620D) and Building Management Services Specialist 3 (S6554D)* (Merit System Board, decided August 12, 2003).

Oderinde's positions as Client Relations Officer with Michael Fageyinbo, CPA, Head of Operation/Customer Service with Pixels Systems Limited, and Adjunct Teacher, are inapplicable. Oderinde lacks the required two years of experience.

An independent review of all material presented indicates that the decision of Agency Services that the appellants do not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellants provide no basis to disturb these decisions. Thus, the appellants have failed to support their burden of proof in these matters.

ORDER

Therefore, it is ordered that these appeals 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 23RD DAY OF MARCH, 2022

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