



STATE OF NEW JERSEY

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 :
FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

 In the Matter of Donna Green,
 Management Assistant (PS6973K),
 Department of Human Services

: Examination Appeal

CSC Docket No. 2022-2729

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ISSUED: AUGUST 3, 2022 (RE)

Donna Green appeals the decision of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Management Assistant (PS6973K), Department of Human Services.

The subject examination announcement was issued with a closing date of November 22, 2021. The examination was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date 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. Applicants who did not meet the announced educational requirement could substitute experience as indicated on a year for year basis. The appellant was found to be below the minimum requirements in experience, per the substitution clause for education. One candidate appears on the eligible list, which has been certified once, but no appointments have yet been made.

The appellant indicated that she did not possess any college credits. As such, per the substitution clause for education, the appellant was required to possess five years of applicable experience. On her application and resume, the appellant listed experience in six positions, provisional Management Assistant, Head Audit Account Clerk, Customer Service Information Specialist, Principal Clerk, Computer

Operator 3, and Income Maintenance Technician. None of the appellant's experience was accepted, and she was found to be lacking five years of experience, per the substitution clause for education.

On appeal, the appellant argues that she has accrued applicable experience in her position as a Head Audit Account Clerk, working out-of-title for "several years." She states that she was admitted to a prior examination for this title.

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.

The appellant was denied admittance to the subject examination since she lacked five years of experience per the substitution clause for education. A review of appellant's application reveals that this determination is correct. 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. Professional experience denotes that the applicants have educational training in some form of higher learning and the work itself is an application of this acquired knowledge. See *e.g., In the Matter of Linda A. Arcamone and Laure P. Woolverton* (MSB, decided May 22, 2001).

The appellant's prior-held State titles which she claims provided applicable experience 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 titles Head Audit Account Clerk, Customer Service Information Specialist, Principal Clerk, Computer Operator 3, and Income Maintenance Technician are non-professional titles since no college credits are required.

When a promotion is between the above noted categories, *N.J.A.C.* 4A:4-2.5(c)2 permits the examination to be open to applicants who are permanent in an approved bridge title(s) and/or applicants who meet the complete open competitive requirements. A bridge title is one that is recognized by the Civil Service Commission (Commission) as related to a higher category title in terms of work performed and knowledge, skills, and abilities required. It is noted that "bridge titles" were established in order to allow individuals with experience in a given job

category (e.g., clerical or paraprofessional) the opportunity to compete in promotional examinations involving a higher-level job category (e.g., paraprofessional or professional). Advancement in some cases was otherwise not possible because the experience acquired in the lower category titles would not technically satisfy the requirements for eligibility in the higher category title. The Secretarial Assistant 2 and 3, including those with the Non-Stenographic variant, are the non-professional bridge titles to the Management Assistant title. In this regard, it is noted that experience gained in a bridge title to establish eligibility to a particular title does not mean that the same experience can be utilized to establish eligibility to a higher title in the series.

In addition, the experience requirements for a professional level title assume professional level experience. For example, for the current title, the work involving complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures must be professional level work. This cannot be accrued in a non-professional title. The appellant's experience in her clerical titles is not applicable for this reason.

For her provisional position, the appellant described her duties on her application as:

Analyze and submits liens and lien releases to Medicaid's Fiscal Agent for processing. - Downloads, reviews and files NJ MMIS reports pertaining to financial activity forms, receivables and liens. Initiates corrective actions as needed. -Maintains and keeps updated database reports and files. - Analyzes financial program operations, identify alternative program strategies and evaluates alternatives and select the most practical and effective alternatives. - Organizes and summarizes data for report preparation. - Analyze and verify the accuracy of bank deposits and supporting documents daily. - Identify and resolves any differences calculate and verify daily check totals. Verify status of outstanding checks using Wells Fargo CEO online bank website. Contact providers regarding outstanding checks and process request for check tracers when necessary. Keep updated spreadsheets to monitor check tracers for completion. - Responsible for receipt and accurate accounting records of all checks to include tracking numbers and preparing financial forms.

Clearly, the majority of these duties are clerical and pertain to a specific fiscal area. Additionally, the appellant indicated that she supervised two support staff. Incumbent Management Assistants are expected to perform professional work only, which does not include supervision of clerical staff. In accordance with classification standards, positions that provide essential clerical support services or

fiscal activities such as tabulating and tracking payments for collections are not Management Assistants. Additionally, "administrative services" is a broad term, and to some degree, nearly all Civil Service titles include administrative responsibilities. At the most basic level, an employee could arguably "administer" almost anything as part of his or her regular work duties. Thus, for eligibility purposes, the duties must be evaluated in relation to the level of the actual position and the actual responsibilities of the title. Management Assistants perform administrative research, identifying, analyzing and recommending solutions to procedural and/or operational problems or processes, and report preparation. Work is typically assigned on a project basis and generally does not involve the reoccurring or repetitive review of information or data. Management Assistants typically act as the principal assistant to the manager(s) regarding administrative matters, and they simultaneously provide administrative services to more than one manager. Positions providing administrative services to more than one manager only on a temporary or short-term basis are not be included in this class (e.g. vacation/sick day coverage). The provisional position as described by the appellant does not fit these distinguishing characteristics. The appellant's work is not on a project basis, but is performed daily, and is reoccurring or repetitive. The appellant does not describe her position as providing administrative services to more than one manager, and her duties are not considered to be a wide variety of administrative services, but rather are limited to a specific fiscal area.

The appellant argues that she was working out-of-title while in the title Head Audit Account Clerk. Nonetheless, the appellant was supervising three subordinates while in that title, a responsibility which is not assigned to Management Assistants. Further, she listed her duties in that title as:

Analyze and submits Liens and lien releases to Medicaid financial Access database. -Provides courteous, accurate and timely responses to requests for information from providers and gain well [sic] personnel. - Responds and resolves staff financial activity form inquires for receivables and liens. -Responsible for input, up keep and accuracy of the financial transaction access database. -Verify the accuracy of all bank deposits and supporting documents. -Responsible for receipt of all checks to assign tracking number and preparing financial activity forms.

These duties are not duties performed by a Management Assistant, and do not include the performance of duties matching the experience requirements as normal primary functions of the title. None of the appellant's experience is applicable, and she lacks five years of qualifying experience per the substitution clause for education.

With regard to the appellant's argument that she was found eligible for a previous examination for the same title, the Commission notes that eligibility is determined on the basis of each discrete announcement. If the appellant does not meet the requirements for the current announcement, the fact that she may have been admitted in error to a prior examination for the same title does not provide her with an entitlement to eligibility in the instant matter. No vested or other rights are accorded by an administrative error. See *Cipriano v. Department of Civil Service*, 151 N.J. Super. 86 (App. Div. 1977); *O'Malley v. Department of Energy*, 109 N.J. 309 (1987); *HIP of New Jersey v. New Jersey Department of Banking and Insurance*, 309 N.J. Super. 538 (App. Div. 1998).

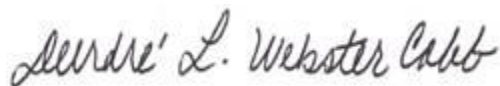
The appellant was denied admittance to the subject examination since she lacked the minimum requirements in experience per the substitution clause for education. An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced 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.

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 3RD DAY OF AUGUST 2022



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