



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Lance Bennette,
Senior Clerk (S0480D), Statewide

CSC Docket No. 2023-134

Examination Appeal

ISSUED: October 12, 2022 (RE)

Lance Bennette appeals the determination of the Division of Agency Services (Agency Services) which found that he did not meet the minimum requirements in experience for the open competitive examination for Senior Clerk (S0480D), Statewide.

The subject examination had a closing date of May 1, 2022 and was open to residents of New Jersey who met the open competitive requirements of one year of experience in general clerical work. The appellant was found to be below the minimum requirements in experience. There are 21 candidates on the eligible list, which has been certified three times, and one appointment has been made.

The appellant listed many positions on his application and resume: Harbor Security Specialist (part-time, 16 hours per week); Construction and Maintenance Technician Apprentice; Bridge Repairer; Area Lifeguard Supervisor; Seasonal Marina Office Assistant Manager/Marina Public Worker; Customer Service Representative/Night Cleaner; Lifeguard/Area Lifeguard Supervisor; Stock Management; Armored Bank Security Driver; Department Shift Leader; Customer Service Specialist; 19D Calvary Scout; Overnight Stock Management; Sales Floor Associate; and Crew Trainer. None of this experience was accepted, and the appellant was found to be lacking one year of applicable experience.

On appeal, the appellant argues that he has accrued clerical experience in the titles Construction and Maintenance Technician Apprentice, Harbor Security

Specialist (part-time, 16 hours per week), 19D Cavalry Scout, and Lifeguard/Area Lifeguard Supervisor.

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.

For experience to be acceptable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. The amount of time, and the importance of the duty, determines if it is the primary focus. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). A review of the appellant's application indicates that he does not possess one year of general clerical experience.

While the appellant's employment record is extensive, the primary focus of each of his positions differs from general clerical duties. As a Construction and Maintenance Technician Apprentice, the appellant conducts inspections and investigations, writes reports, and reviews data to detect violations. As a Harbor Security Specialist, the appellant is responsible for security, inspections, compliance with harbor rules, investigating complaints, and filing paperwork. As a 19D Cavalry Scout, the appellant tested and inspected military equipment, performed firearms, explosive maintenance, and inspection permits reviews and investigations, performed investigations and wrote reports, operated radios, secured and prepared ammunition on military vehicles, and collected data and wrote reports. As a Lifeguard/Area Lifeguard Supervisor, the appellant performed field test and repairs on pool equipment and lab samples, inspected permits and plans, collected fees, prepared reports, instructed staff, handled payroll approval and timesheets, performed clerical support, scheduled meetings, oversaw aquatic activities, enforced rules, warned swimmers and responded to emergencies. Some clerical activities are associated with these positions. However, those duties are ancillary to the primary focus of each position, but are not the purpose of the positions. The same is true for his remaining positions.

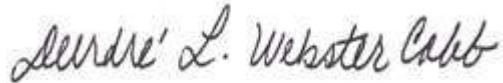
The appellant was denied admittance to the subject examination since he lacked the minimum requirements in experience. An independent review of all material presented indicates that the decision of Agency Services, that the appellant does not meet the announced requirements for eligibility by the closing date, is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his 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 12TH DAY OF OCTOBER, 2022



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