

STATE OF NEW JERSEY

In the Matter of Lynn Martin, Accounting Procedures Analyst (PC4058D), Camden County

CSC Docket No. 2023-291

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED: October 12, 2022 (RE)

Lynn Martin appeals the decision of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements for the promotional examination for Accounting Procedures Analyst (PC4058D), Camden County.

The subject examination announcement was issued with a closing date of May 23, 2022. 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, in pertinent part, graduation from an accredited college or university with a Bachelor's degree including or supplemented by 21 semester hour credits in accounting courses, and two years of accounting or auditing experience. The appellant was determined to be ineligible for below minimum requirements in experience. As the appellant was the sole applicant, the examination was cancelled on August 18, 2022.

On her application, the appellant indicated possession of a Bachelor's degree in Accounting. She listed three positions on her application: provisional Accounting Procedures Analyst, Principal Account Clerk, and Clerk 2. She did not provide a resume with her application. As none of this experience was accepted, she was found to be lacking two years of applicable experience.

On appeal, the appellant states that she has been working in the Accounting and Auditing Division for several years. She states that she has assessed and

implemented efficiency for the Division, composed and updated accounting procedures, and reviewed and maintained fiscal records. In support, a Senior Personnel Technician with Human Resources states that as a Principal Account Clerk the appellant conducted numerous procedures and wrote various accounting and revenue collections for the Finance Department, streamlining efficiency in these areas. She states that the appellant is the only person qualified for the job, meets the educational requirements, and has more than two years of experience.

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, paraprofessional 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 Accounting Procedures Analyst 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. The titles Principal Account Clerk and Clerk 2 are considered non-professional titles since they do not require completion of any college credits. In 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 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).

When an applicant indicates extensive experience in titles established under the State Classification Plan, it is appropriate to utilize the job specifications to determine the primary focus of the duties of incumbents serving in career service titles. In the eligibility screening process, reliance on the job specifications to determine the primary focus of duties for incumbents of a particular title or title series provides a standardized basis on which Agency Services can compare what an applicant indicates on his or her application to what incumbents in a particular title series generally perform. In order to maintain the integrity of the State Classification Plan, Agency Services cannot simply accept *carte blanche* how an applicant describes his or her experience when such a barometer exists. In this regard, 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 her application, for the duties of her provisional position the appellant copied the Examples of Work from the job specification for the title. Then, she added additional duties of performing accounting work involved in the installation, operation and auditing of accounts; preparing complex accounting and statistical tabulations; preparing and submitting all financial reports due to other agencies; maintaining all essential accounting records and files; and analyzing payroll records, disbursements and revenues in preparation of monthly reports. Simply quoting the duties contained in the job specification on an application is not a sufficient basis on which to determine if a candidate's specific duties would meet the requirements for an examination. Candidates must demonstrate that the duties they perform qualify them for admission to the examination. See In the Matter of Maxsine Allen and Vivian Stevenson (MSB, decided March 10, 2004). Additionally, the duties that were in her own words are not those of an Accounting Procedures Analyst. On appeal, the appellant selects for review a few duties that match the announced requirements, assessing and implementing efficiency for the Division, and composing and updating accounting procedures. She also states that she reviews and maintains fiscal records. This information is insufficient to determine if the announced experience requirement is the primary focus of the position, or if the two duties provided on appeal are ancillary duties to the review and maintenance of fiscal records.

In any event, the appellant had been in her provisional position for six months as of the May 2022 closing date and even if this experience had been accepted, she would still fall one year, six months short as of the closing date. Human Resources indicates that the appellant was working out-of-title while in her Principal Account Clerk title. Even if she was, the description of the duties of her current position are insufficient to determine that the position is properly classified.

As there were no duties in her own words on her application that would verify the primary focus of the position, if the appointing authority wants the appellant to remain in her current position, the appellant should provide a duties questionnaire (enclosed) to Agency Services detailing the duties of the position, along with a completed examination application within 30 days of the issuance of this decision, so that an appropriate provisional title can be assigned, and a prequalification determination can be made. Should the appellant be found not eligible

for the new provisional appointment, she should be returned to her underlying permanent title at that time.

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 classification of the appellant's provisional position be referred to the Division of 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 12^{TH} DAY OF OCTOBER, 2022

Devrare' L. Webster Calib

Deirdré L. Webster Cobb

Chairperson

Civil Service Commission

Inquiries Nicholas F. Angiulo

and Director

Correspondence Division of Appeals and Regulatory Affairs

Civil Service Commission Written Record Appeals Unit

P. O. Box 312

Trenton, New Jersey 08625-0312

Enclosure

c: Lynn Martin Catherine Binowksi Division of Agency Services Records Center

POSI	TION CLASSIFICATION	N QUES	TIONNAI	RE	FOR CIVIL SERVICE CO	MMISSION USE
NEW JERSEY CIVIL SERVICE COMMISSION DIVISION OF STATE & LOCAL OPERATIONS				LOG NO.		
IMPORTANT: Full instructions for completing this form are located on the last page. It is most important that employees and supervisors read them carefully. The form must be signed by the employee, his or her						
supervisor, the Program Manager or Division Director and the Appointing Authority Representative. INCOMPLETE REQUESTS WILL BE RETURNED. CSS REQUEST NO.						
1. NAME O	F EMPLOYEE (IF ANY)	2. ANNUAL SA	ALARY (Current)	3. POSITION NO.	4. CODE (Ran	ge and Title)
5. OFFICIA	L TITLE OF POSITION		6. WORKING TITI	E (If different)		
	N OF POSITION c location, Unit, Section, Division, Institution, o	or Department)				
7A. EMPLO	YEE WORK OR HOME MAILING ADDRESS					
the work ca	(DUTIES) PERFORMED - Describe in detail to n understand exactly what is done. NOTE: If the position and certified for accuracy by the	his is a vacant p	osition or a new po	sition request, the for	clear that persons unfirm must be completed	amiliar with
Percent of Time		Work (Dutle	s) Performed			Order of Difficulty

ITEM 8 CONTINUED

Percent of Time	Work (Duties) Performed	Order of Difficulty

9. REGULAR SCHEDULE OF WORK HOURS					
DAY	FROM	TO	DAY	FROM	TO
Monday			Friday		
Tuesday			Saturday		
Wednesday			Sunday		
Thursday Length of Lunch Period			d		
Total Hours Worked Per Week					

9b. EXPLAIN ROTATION OF SHIFTS, IF ANY

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QUESTIONNAIRE CONTINUED 10. TYPE OF SUPERVISION RECEIVED (Check One - See definitions on page 4) CLOSE LIMITED **GENERAL** OTHER (Explain) 11. Does this position supervise other employees? E. List the names and titles of the employees supervised directly. (If the employees supervised comprise one or more complete units, include the names of the units) YES (If yes, complete Items A thru E) Occasionally? [or] Regularly? B. Responsible for the preparation of performance YES __ NO evaluations? C. Assign work? D. Review completed work of employees supervised? 12. CERTIFICATION I CERTIFY that I have read the instructions and the entries made above are my own and, to the best of my OF knowledge, are accurate and complete. **EMPLOYEE** SIGNATURE DATE . 13. STATEMENTS OF IMMEDIATE SUPERVISOR A. Comments on Statements of Employee Check here if continued on additional sheets. B. What do you consider the most important duties of this position? Check here if continued on additional sheets. C. List those knowledges and abilities necessary for standard performance of the job to be done by an incumbent of this position Check here if continued on additional sheets. DISAGREE with the employee's description of job duties, percentage of time, and order of difficulty. COMMENTS:

SIGNATURE

Check here if continued on additional sheets.

DATE

(Working title if different)

OFFICIAL TITLE

	AGEN ON L	DIVISION DIRECTO	R
AGREE with the statements of the immediate supervisor.			
DISAGREE with the statements of the immediate supervisor.			
COMMENTS:			
		Check here if continued	on additional sheets.
= 6			
OFFICIAL TITLE (Working title if different)	SIGNATURE		DATE
			1 2
15A. STATE APPOINTING AUTHORITY	REPRESEN	TATIVE SIGNATUR	F
In State service, the agency representative's signature certifi			
OFFICIAL TITLE	SIGNATURE		DATE
(Working title if different)			
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15B. LOCAL APPOINTING AUTHORITY	KEPKESE	NIATIVE SIGNATUR	
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INSTRUCTIONS FOR COMPLETING POSITION CLASSIFICATION QUESTIONNAIRE (DPF-44)

NOTE: If this is a vacant position or a new position request, this form must be completed by the supervisor of the position and certified for accuracy by the Appointing Authority Representative.

Please read these instructions carefully before filling out the Position Classification Questionnaire.

This form is used to obtain information about a position. It will be used to determine the classification or to determine a rate of pay. Therefore, be as clear and accurate as possible and fill out the form completely. Be specific and illustrate statements with examples. If more space is needed to answer any of the items, attach an additional sheet and identify each item by its number.

This form is to be completed by you in your own words. Your supervisor and department head will review your Position Classification Question-naire to determine the completeness and accuracy of the statements and to clarify or give additional information concerning your duties and responsibilities. Under no circumstances, however, should the supervisor or the department head change the answers as given and certified to by you. In the space provided, they may make whatever statements they think are necessary before signing the report. State your name in Item 1 and complete Items 6 through 12. Items 2 through 5 will be completed by your personnel office. Remember to sign your name in Item 12. Give the completed questionnaire to your supervisor.

ITEM 8 - The answer to this item requires an exact account of what you do. Describe your "whole job" or year-round duties, not just those which might be performed during rush or peak periods of activity or when you are substituting for other persons. Start with your most important duties and describe your least important duties last. Use a separate paragraph for each major duty. In the column at left indicate as best you can the percentage of time you devote to each duty. The position's supervisor will complete the information requested in the right hand column.

EXAMPLES OF GOOD AND POOR DUTIES STATEMENTS			
Poor Statements	Good Statements		
Assist in handling correspondence. • • • • • • • • •	Receive, open, time stamp, and route incoming mail.		
Maintain grounds and landscaped areas.	Mow lawn with power mower and hand mowers. Trim trees from ground and from ladder, using power saws. Lubricate mowers.		
I do finish concrete work.	Place forms; mix, pour and finish concrete walks and curbing. Prepare registers of all claims showing allocation of budget expenditures and total amount of expenditures for month in which claims are made.		
Do general kitchen work.	Clean and cut fruits and vegetables. Make salad dressings. Serve at steam table. Wash pots and dishes and store away utensils and foods. Once or twice a month, bake cookies and tarts.		
Our unit is responsible for keeping all purchasing records.	I compare invoices with purchase orders. Review requisitions submitted by the different departments for accuracy, then give them to the Purchasing Agent for his or her OK.		

ITEM 10 - Before you complete Item 10, the following definitions will be helpful in making your choice of the type of supervision you receive.

- CLOSE SUPERVISION: Work is performed according to detailed instructions and supervision is available on short notice.
- LIMITED SUPERVISION: Incumbent proceeds on his/her own initiative while complying with policies, practices, and procedures prescribed by the supervisor. The supervisor generally answers questions only on the more important phases of the work.
- GENERAL SUPERVISION: Work is performed independently. The incumbent seldom refers matters to supervisor except for clarification of policy.
- Other: If your work is supervised in a manner different from all of the above, please describe briefly how your work is assigned and supervised.

INSTRUCTIONS FOR SUPERVISORY STAFF

ITEM 13 - If you are a supervisor reviewing this form, you should remember that your certification means you accept responsibility that the statements made constitute a true description of the duties and responsibilities of the position. If the description does not meet with your idea of the position, it is your responsibility to see that statements made are qualified or elaborated upon in your comments. Under no circumstances, however, are the employee's statements to be changed. However, you are asked to determine the order of difficulty of each duty performed. Under Item 8 in the column at right, cite the order of difficulty of duties performed by assigning the number one (1) to the most difficult, the number two (2) to the next most difficult, etc. Keep in mind that the most important duty performed by this position may not be the most difficult, nor the one on which the greatest percentage of time is spent.

You should review the completed and signed form for correctness, completeness, and accuracy of statements, then add any comments which you believe are necessary, sign the form, and forward it to the program manager or division director.

ITEM 14 - The Program Manager or Division Director should indicate his or her agreement or disagreement with the statements of the immediate supervisor. Additional comments may be written in the space provided. Sign the form and forward it to your Personnel Office.

APPOINTING AUTHORITY SIGNATURE

ITEM 15A - (State Service) - the appointing authority or designated representative shall sign the form here. The agency representative's signature certifies that he/she has reviewed the appeal, provided an organization chart, and included all information set forth in 4A:3-3.9(c). The completed package should be forwarded to the Civil Service Commission.

ITEM 15B - (Local service) - the agency representative shall sign here, and may indicate his/ her agreement or disagreement with the statements of the immediate supervisor and program manager or division director, and provide comments if desired. The completed package should be forwarded to the Civil Service Commission.