

subject title,¹ and that, pursuant to *N.J.A.C. 4A:4-1.5(a)*, the appointing authority certified that she met the minimum qualifications for the title at the time of appointment.

She states that she has nearly twenty years of customer service experience. In the past and currently, she disseminates, verifies, and provides pertinent information to the public and Health Officials, while maintaining Federal and State regulations. She states that in 2008, she started in customer service, working directly with NiFamilyCare clients, while maintaining the highest level of confidentiality and strict adherence to HIPAA and Medicaid laws. On a daily basis, she interacted with NiFamilyCare clients and health authorities and direct them to the appropriate staff or department to assist in resolution to any issues or inquiries. Over the years, her position has evolved to include performing executive support duties to ensure NifamilyCare assistance programs meet acceptable departmental standards. Currently and in the past, she has been:

preparing letters, instructions, transmittals and other information for approval and sending to the appropriate recipients;

assisting in developing and executing team/individual objectives and providing internal and external departmental process improvements;

preparing statistical data and detailed reports with regard to NiFamilyCare assistance programs Fair Hearing requests;

reviewing and document a client's Fair Hearing request for NiFamilyCare health medical assistance programs or a continuation of NiFamilyCare assistance programs benefits during the Fair Hearing Process;

identifying NiFamilyCare assistance programs Fair Hearing request problematic areas and recommending corrective action;

and, responding to and coordinating NiFamilyCare or Medicaid benefits Fair Hearing requests received from NJ Legal Services while ensuring compliance with Federal and State policies, regulations, laws and rules.

She provides another copy of her resume which includes her provisional position.

¹ She received a provisional appointment on July 31, 2021.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 states that applicants for promotional examinations must meet all requirements by the announced closing date.

The appellant was denied admittance to the subject examination since she lacked at least three years of experience in disseminating, verifying and providing information to the public. In order for experience to be acceptable, it must mirror the experience required in the examination announcement. In addition, 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). In this case, Agency Services found that the primary focus of the appellant's positions was clerical work for each of the four positions that she listed on her application. It is noted that *N.J.A.C.* 4A:4-1.5(a), directs the appointing authority to provisionally appoint candidates who met the minimum qualifications for the title at the time of appointment. Nevertheless, a provisional appointment does not verify that the incumbent meets those requirements. The appellant must establish eligibility through the examination process, which includes filing an application listed all applicable experience. That is, simply being provisionally appointed does not verify that requirements have been met.

With that said, on her application, the appellant indicated that her duties included: answering, directing and logging client phone calls; problem solving of constituent issues; maintaining and scheduling her supervisor's calendar; documenting employee absences and meeting information; preparing documents for review; preparing, scheduling and maintaining records for meetings, filing and projects; keeping records; approving and coordinating with vendors regarding check status for clients; data entry projects; maintaining office supplies and files; and general office duties. In sum, a review of the appellant's duties as she submits on appeal, and as listed above, does not establish that she is primarily performing the work of a Customer Service Information Specialist 3.

As such, Agency Services should perform a review of the appellant's duties to determine the proper classification of her position. For eligibility purposes, it is not sufficient to be provisional in the title, but the candidate must also be performing the duties of the title. None of the remaining experience had applicable duties as the primary focus, and therefore, the appellant lacks three years of required experience. Should the classification review find that the appellant is performing in-title work as an Customer Service Information Specialist 3 in her provisional position, another examination can be announced.

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

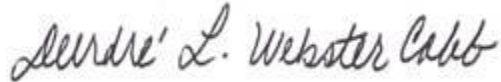
provides no basis to disturb this decision. Thus, the appellant has failed to support her burden of proof in this matter.

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 29TH DAY OF JUNE 2022



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