

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

In the Matter of Bharti Swaminarayan, Clerk 2 (PC4790C), Middlesex County Board of Social Service

CSC Docket No. 2022-1880

Examination Appeal

ISSUED: JULY 5, 2022 (RE)

Bharti Swaminarayan appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements for the promotional examination for Clerk 2 (PC4790C), Middlesex County Board of Social Service.

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The subject examination announcement was issued with a closing date of November 22, 2021, and was open to employees in the non-competitive division who were serving in the title Clerk 1, Clerk 1 Bilingual in Spanish and English and who met the announced requirement of one of experience in clerical work. The appellant was found to be below minimum requirements in experience. Eight candidates appear on the eligible list, which was certified, but no appointments have yet been made.

The appellant listed one position on her application, Clerk from January 2019 to November 2021. Official records indicate that she was a Clerk 1 from January 2019 to July 2020, and was a provisional Clerk 2 from July 2020 to the November 2021 closing date. She listed her duties as "documents scanning." This was found not to be clerical experience, and thus she was found to be lacking one year of qualifying experience.

On appeal, the appellant states that she has more than two years of combined clerical experience, working as a Clerk 1 within the Middlesex County Board of Social Services, and working as a Clerk from 2003. She provides a copy of her resume with additional positions not listed on her application. Further, she

states that several of her coworkers who were hired at the same time were granted eligibility for the title of Clerk 2. She finds the situation surprising, as they have similar clerical work experience and have had similar responsibilities during their tenure working for Middlesex County.

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.

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

In the instant matter, based on the information available to Agency Services, it appropriately found that the appellant was not qualified for the subject title based on her failure to meet the experience requirements. 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 amount of time, and the importance of the duty, determines if it is the primary focus. The appellant listed one position, Clerk, and described that position as "documents scanning." This was insufficient detail to determine that the appellant was performing clerical work. Nonetheless, on appeal, the appellant clarified that she worked with DIMS to scan client documents and compile digital records, and classified and indexed all client information. This description is sufficient to determine that the appellant possesses one year of clerical experience.

Pursuant to *N.J.A.C.* 4A:4-2.1(f), any documentation indicating work in any setting that was not previously listed on an application or resume cannot be considered after the closing date. *See In the Matter of Joann Burch, et al.* (MSB, decided August 21, 2003) and *In the Matter of Rolanda Alphonso, et al.* (MSB, decided January 26, 2005). As such, the additional positions given by the appellant in her resume and on appeal cannot be considered.

The appellant is cautioned that for future applications she should list her various positions separately on the application, and for each, include a complete description of duties as well as provide all requested information. The On-Line Application System User's Guide cautions applicants to carefully review the application to ensure that it is complete and accurate before submitting, and to complete the application in detail. It states that failure to complete the application properly may cause the applicant to be declared ineligible. The instructions under the experience portion of the applications advise applicants to provide all employment information (not just current employment information), and if they have multiple positions, they need to make sure that they provide each one

separately. The appellant should follow these instructions and properly complete any future applications for examinations.

ORDER

Therefore, it is ordered that this appeal be granted, the appellant's application be processed, and she be considered for prospective promotional opportunities only.

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 29^{TH} DAY OF JUNE 2022

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