



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Eric Bulwith,
Senior Management Assistant
(M0251D), Jersey City

Examination Appeal

CSC Docket No. 2022-2924

ISSUED: September 21, 2022 (RE)

Eric Bulwith appeals the determination of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, he did not meet the experience requirements for the open-competitive examination for Senior Management Assistant (M0251D), Jersey City.

The subject examination announcement was issued with a closing date of February 22, 2022. The examination was open to residents of Jersey City and New Jersey who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor’s degree, and two years 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 education requirement could substitute experience on a year-for-year basis, with 30 semester hour credits equal to one year of experience. It is noted that 17 candidates are eligible for the examination which has not yet been held.

The appellant indicated on his application that he possessed no college credits. As such, he was required to possess six years of required experience. He listed three positions on his application: Supervisor of Data Processing, Deputy Municipal Court Administrator, and Court Attendant. No resume was provided. Official records indicate that the appellant was provisionally appointed as a Senior Management Assistant in the Municipal Court on March 8, 2021. None of this experience was accepted, and he was found to be lacking six years of applicable experience.

On appeal, the appellant states that he provided the wrong resume, and states that he “finds it hard to believe that my employers would chose a title I would be ineligible for.” The appellant argues that he has over a year of experience as an Assistant Director of the Division of Housing Preservation with Jersey City which has prepared him for the position. The appellant provides a resume which lists his positions by title and years of service, and he combines his duties for all positions in a section entitled “past and present professional expereince.” It is noted that the appellant lists his current position as “Present Director of The Division of Housing Preservation, Department of Housing, Economic Development & Commerce, City of Jersey City” from March 8, 2021 to the present.

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.

In this matter, Agency Services correctly determined that the appellant was not eligible for the subject examination. It is noted that qualifying experience has the announced experience requirement as the primary focus of the position. That is, the announced experience should be the main duty of the listed position. The focus of the duties of a Senior Management Assistant is to assist in the coordination of management or administrative activities of an assigned unit or work area. The incumbents act as an assistant to Managers, not in a supportive or secretarial function, but rather, to relieve the Managers of detail-oriented and time-consuming professional tasks.

The appellant’s Supervisor of Data Processing and Deputy Municipal Court Administrator experience is inapplicable as the appellant was not acting as an assistant to Managers. His Court Attendant duties were not professional, and had court security as the primary focus. There is no evidence in the appellant’s current or previously submitted applications that he met the minimum qualifications for the title at the time of the appointment in March 2021. Additionally, the appellant did not list, or include any duties on his application for his provisional appointment as a Senior Management Assistant. In his appeal, he indicates that he is not in the Municipal Court at all, as according to his record, but is in the Division of Housing Preservation, and he believes he is an Assistant Director. At this point, it appears that the appellant’s position is misclassified. Therefore, the appellant and appointing authority should complete the attached Position Classification Questionnaire (PCQ) and submit it Agency Services within 30 days of the issuance date on this decision. Even if the appellant is found to be performing the duties of an Senior Management Assistant, he could not be admitted to the examination as he did not list any applicable education or experience, and lacks six years of required 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 his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied, and the classification of the appellant's position be referred to the Division of Agency Services for a classification 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 21ST DAY OF SEPTEMBER, 2022

Dolores Gorczyca

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