



STATE OF NEW JERSEY

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

In the Matter of Kimberly Badessa,
Administrative Analyst 2
Procurement (PS7934S),
Department of State

Examination Appeal

CSC Docket No. 2023-1010

ISSUED: February 22, 2023 (RE)

Kimberly Badessa appeals the determination of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Administrative Analyst 2 Procurement (PS7934S), Department of State.

The subject examination announcement was issued with a closing date of February 22, 2022, and was open to employees in the competitive division who were serving in the titles Information Technology Specialist and Software Development Specialist 1 any competitive title and who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and and two years of experience in procurement through the competitive bidding process for a large public or private organization. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis with 30 semester hour credits being equal to one year of experience. The appellant was found to be below the minimum requirements in experience per the substitution clause for education. As no candidates were admitted, the examination was cancelled on November 20, 2022.

The appellant indicated on her application that she possessed no college credits, and as such, she was required to possess six years of qualifying experience per the substitution clause for education. The appellant listed five positions on her application: provisional Administrative Analyst 2 Procurement; Purchasing Assistant; Financial Data Analyst/Buyer/3rd Party Contracts with Bloomberg Financial Markets; Financial Data Analyst on ANR Team with Bloomberg

Financial Markets; and Mutual Fund Analyst with Bloomberg Financial Markets. Official records indicate that the appellant was a Purchasing Assistant from February 2021 to July 2021. She was a Technical Assistant 1 Purchasing from July 2019 to February 2021, a period of time that she indicated she was a Purchasing Assistant. The appellant was credited with two years, eight months of experience as an Administrative Analyst 2 Procurement and Purchasing Assistant, and she was found to be lacking three years, four months of qualifying experience.

On appeal, the appellant provides a copy of her resume, and states that she has over 25 years of analytical and financial experience. She states that her experience with Bloomberg Financial Markets included procurement, analytics, contract and budget. She also states that she has been eligible for examinations for Buyer.

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.

At the outset, 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. In this regard, a review of the duties listed on the appellant's resume indicate a mixture of applicable procurement duties and many other duties in purchasing, most of which were clerical in nature, but that they do not involve procurement through the competitive bidding process. Additionally, Technical Assistant 1 Purchasing is a technical title, not a professional title, and the duties of that title do not rise to the level and scope of professional duties. Nonetheless, she was a Technical Assistant 1 Purchasing from July 2019 to February 2021.

Regarding her positions with Bloomberg Financial Markets, many of the duties that the appellant performed as a Financial Data Analyst/Buyer/3rd Party Contracts were clerical and technical in nature. For example, she reviewed purchase orders for accuracy, prepared purchase orders, ensured invoices and purchased orders were correct by discussing issues with others, maintained a database, analyzed vender requests for payments and their questions to solve problems and maintain relationships, and supervised clerical staff. These duties are not those of procurement through the competitive bidding process. The appellant appears to have included three titles in one position, and the appellant's duties as a Financial Data Analyst had data base analysis as a primary focus, and her duties as a Mutual Fund Analyst had mutual funds maintenance as a primary focus. Although she was credited with two years, eight months of experience per the substitution clause for education, admitting the appellant to this examination would enable the appointing authority to affect a permanent appointment. In this

regard, while the appellant's myriad experiences do not specifically match the experience required, much of it is sufficiently similar, and as such, given that there are no eligible candidates, the Civil Service Commission is satisfied that she should be considered eligible for the examination. Accordingly, good cause has been established to accept the totality of the appellant's experience, for eligibility purposes, as qualifying experience as of the closing date.

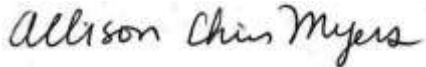
As to admittance to prior examinations to another title, Buyer, it is noted that the experience requirements for that title are different and, as each examination is separate, it has no bearing on the appellant's eligibility for the examination for the subject title.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded and the appellant's application be processed.

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 22ND DAY OF FEBRUARY, 2023



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