



B-20

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of John Seigle,
Administrative Secretary (PM0106T),
Trenton

Examination Appeal

CSC Docket No. 2016-569

ISSUED: ~~NOV~~ 06 2015 (SLK)

John Seigle appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Administrative Secretary (PM0106T), Trenton.

The examination at issue was announced with specific requirements that had to be met as of the February 21, 2015 closing date (see attached). The appellant was the only employee who applied for the subject examination and he was deemed ineligible. Therefore, the examination was cancelled due to a lack of qualified applicants.

Mr. Seigle indicated on his application that he was serving provisionally in the subject title from December 2009 to the February 21, 2015 closing date, a Principal Clerk Typist from June 2000 to December 2009,¹ a Senior Clerk Typist from June 1995 to June 2000, and a Clerk Typist from September 1991 to June 1995. Personnel records indicate that he was provisionally serving in the subject title from February 2012 to the February 21, 2015 closing date, a Keyboarding Clerk 3 from January 1999 to February 2012, a Keyboarding Clerk 2 from October 1994 to January 1999, and a Keyboarding Clerk 1 from September 1991 to October 1994. Agency Services credited him with three years and one month of experience based on his provisional service in the subject title, but determined that he lacked one year and eleven months of applicable experience.

¹ Mr. Seigle indicated on his application that he was performing the out-of-title duties of an Administrative Secretary from April 2004 to September 2004.

On appeal, Mr. Seigle maintains that he performed the out-of-title duties for the subject title from June 2004 to September 2004 and from June 2009 through April 2010. The appellant also submits a letter from Steve Ponella, Personnel Officer, confirming that the appellant performed the duties of an Administrative Secretary for the then Business Administrator, Dennis Gonzalez, from January 2010 through April 2010. Further, Mr. Seigle indicates that in April 2011, he was officially promoted to the subject title by the then new Business Administrator, Eric Berry as indicated in the CAMPS record he provides. Thereafter, as Administrative Secretary is a benchmark title, the appointing authority was required have his position undergo formal classification review procedures by this agency to ensure the title was appropriate for the position. Accordingly, the appellant states that he submitted a letter of recommendation dated August 2011 from Mr. Berry as well as a Position Classification Questionnaire (PCQ) which indicates that Mr. Berry promoted him to the subject title in April 2011. Subsequently, Mr. Berry left employment with Trenton in September 2011 and the former Division of Classification and Personnel Management² (CPM) contacted the appellant indicating that he would have to submit an updated PCQ signed by the current Business Administrator. However, CPM was unable to accept the PCQ he resubmitted because it was signed by the Acting Business Administrator, Anthony Roberts. Subsequently, the then new Business Administrator, Sam Hutchinson, and the appellant resubmitted his PCQ with Mr. Hutchinson's signature dated August 2012, which resulted in his position being reclassified to the subject title effective February 2012. The appellant asserts that this back and forth process caused him not to be credited with qualifying experience. The appellant maintains that he has at least 15 years of qualifying experience.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes. Additionally, *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations with open-competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process.

Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was credited with having three years and one month of experience based on his provisional service in the subject title, but he lacked one year and 11 months of the required relevant experience to establish eligibility. Any relevant experience the appellant

² Now known as the Division of Agency Services.

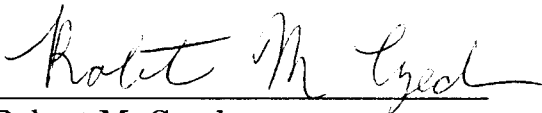
gained as a Keyboarding Clerk 3 would be out-of-title-work. However, Steve Ponella has verified that the appellant performed the required out-of-title duties from January 2010 through April 2010. Additionally, the record demonstrates that a former Business Administrator, Eric Berry, promoted the appellant to the subject title in April 2011, but due to internal changes at the appointing authority in conjunction with the fact that positions to be filled by benchmark title are first required to undergo formal classification review procedures, his provisional appointment was to Administrative Secretary was not finalized until February 2012. Further, the appellant continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applications. Under these circumstances, good cause exists to accept the appellant's out-of-title work as well as his provisional experience after the closing date, for eligibility purposes only, and admit him to the subject examination.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded and John Seigle's application be processed for prospective employment 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 5th DAY OF NOVEMBER, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: John Seigle
Terry McEwen
Kelly Glenn
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION
 COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC

SYMBOL: PM0106T	WEIGHT CODE: *
TITLE: ADMINISTRATIVE SECRETARY	SALARY: \$49,887.00 - \$64,872.00
ISSUE DATE: February 01, 2015	CLOSING DATE: February 21, 2015
TITLE CODE: 00112/ NYRLR4	JURISDICTION CODE: T11110003
JURISDICTION: TRENTON	
DEPARTMENT: ADMINISTRATION	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Experience: Five (5) years of experience in the capacity of a secretary to an executive or administrative official in a public or private organization.

Note: Successful completion of a two (2) year program in secretarial science at an accredited college or university may be substituted for two (2) years of the above experience. You must attach a copy of your transcript to your application. Failure to do so will result in rejection from the examination process.

License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
2. **YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
5. In accordance with Public Law 2010 c.26, **Veterans pay a reduced application fee of \$15.00** if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.** (i.e. Police, Fire, Corrections and Sheriff).
6. **If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.**

DPF-256A * Revised 03/09