

CSC
B-360



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Deborah Lewis,
Secretarial Assistant 1 (Non-
Stenographic) (PS2079K),
Department of Human Services

Examination Appeal

CSC Docket Nos. 2016-724

ISSUED: **DEC 17 2015** (SLK)

Deborah Lewis appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Secretarial Assistant 1 (Non-Stenographic) (PS2079K), Department of Human Services, Division of Medical Assistance.

The examination at issue was announced with specific requirements that had to be met as of the February 21, 2015 closing date (see attached). A total of nine employees applied for the subject examination and seven were deemed eligible to compete in a written examination that was conducted on December 10, 2015. It is noted that an eligible list has not yet been issued.

Ms. Lewis indicated on her application that she was provisionally serving as a Secretarial Assistant 2 (Non-Stenographic) from October 2011 to the February 21, 2015 closing date, provisionally serving as a Management Assistant from August 2001 to October 2011,¹ a Principal Clerk Typist from April 2000 to August 2001, and a Regional Administrative Coordinator for Getty Petroleum Marketing, Inc. from May 1995 to September 1999. Agency Services credited the appellant with four years and eight months of experience based on her service as a Secretarial Assistant 2 (Non-Stenographic) and a Principal Clerk Typist, but determined that she lacked four months of experience.

¹ Personnel records indicate that Ms. Lewis provisionally served as a Secretarial Assistant 2 (Non-Stenographic) from December 2011 to the February 21, 2015 closing date and provisionally served as a Management Assistant from August 2001 to December 2011.

On appeal, Ms. Lewis asserts that she should be determined eligible for the subject examination based on her provisional service as a Secretarial Assistant 2 (Non-Stenographic). Further, the appellant presents that she was determined eligible for an open-competitive examination for the subject title (S0363S) and she does not understand how she can be determined ineligible for the subject examination.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

A review of the record indicates that Agency Services correctly determined that the appellant is not eligible for the subject examination. Agency Services credited the appellant with four years and eight months of experience based on her Secretarial Assistant 2 (Non-Stenographic) and Principal Clerk Typist experience, but determined that she lacked four months of experience. The subject examination was open to employees who had one year of continuous permanent service as a Secretarial Assistant 2 (Non-Stenographic) or applicants who possessed five years of experience in secretarial and administrative clerical work as of the closing date. Therefore, since the appellant's permanent title is Principal Clerk Typist and she was only serving provisionally in the Secretarial Assistant 2 (Non-Stenographic) title, the appellant needed to meet the experience requirement.

Secretarial work involves working for an executive, including scheduling appointments, giving information to callers, reading and routing incoming mail, locating files, typing, filing, greeting visitors and conducting them to the executive or appropriate person, arranging travel schedules, placing outgoing calls, recording minutes of staff meetings, making copies of printed matter, and preparing outgoing mail. See *In the Matter of Rosemarie Baylies* (MSB, decided April 6, 2005). In this matter, a review of the appellant's application and resume indicates that while she may have occasionally performed secretarial duties as a Management Assistant, the primary focus of her duties in this position was providing professional administrative support services such as conducting studies, preparing reports, coordinating data processing requests and other professional administrative support services, not secretarial duties. 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). Similarly, as a Regional Administrative Coordinator for Getty Petroleum Marketing, the primary focus of the appellant's duties was preparing legal documents, conducting training, evaluating department practices, and other

non-secretarial duties. Accordingly, Agency Services correctly determined that the appellant lacked four months of the required experience.

With regard to the appellant's argument that she was found eligible for a previous examination for the same title, the Commission notes that eligibility is determined on the basis of each discrete announcement. If the appellant does not meet the requirements for the current announcement, the fact that she was admitted in error to a prior examination for the same title does not provide her with an entitlement to eligibility in the instant matter. No vested or other rights are accorded by an administrative error. *See Cipriano v. Department of Civil Service*, 151 N.J. Super. 86 (App. Div. 1977); *O'Malley v. Department of Energy*, 109 N.J. 309 (1987); *HIP of New Jersey v. New Jersey Department of Banking and Insurance*, 309 N.J. Super. 538 (App. Div. 1998).

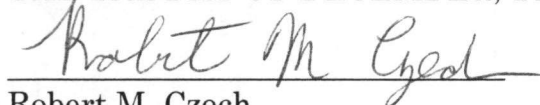
Therefore, there is no basis to disturb the decision of Agency Services. Accordingly, Ms. Lewis has not met her burden of proof in this matter.

ORDER

Therefore, it is ordered that the 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 16th DAY OF DECEMBER, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
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and Regulatory Affairs
Civil Service Commission
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P.O. Box 312
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Attachment

c: Deborah Lewis
Kelly Glenn
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT

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

SYMBOL: PS2079K	WEIGHT CODE: *
TITLE: SECRETARIAL ASSISTANT I NON-STENOGRAPHIC	SALARY: \$49,263.00 - \$69,662.00
ISSUE DATE: February 01, 2015	CLOSING DATE: February 21, 2015
TITLE CODE: 24533C/NYRXR4	CLASS CODE: 20
DEPARTMENT: HSA/HUMAN SERVICES	
UNIT SCOPE: K250 Division of Medical Assistance and Health Services	

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 are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):

Secretarial Assistant 2 Non-Stenographic

Or 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 secretarial and administrative clerical work.

Note: Successful completion of a clerical training program with a minimum of 700 classroom training hours or 30 semester hour credits in secretarial science from an accredited college or university may be substituted for one (1) year of the experience indicated above. Course work must include typing skills, methods, and procedures; other courses may include, but not be limited to, office procedures, word processing, and business English. You must attach a copy of your transcript to your application. Failure to do so will result in rejection from the examination process.

Note: A five-minute qualifying typing test (scored on a pass/fail basis) may be scheduled or administered during the interview process. Applicants who have taken a typing test administered by the Civil Service Commission (CSC) or an approved representative of the CSC and have been issued a scoring report indicating a passing score, or a proficiency certificate, are not required to be tested again until the proficiency score has expired (five years from date of test). Candidates will be graded on a scale based on the number of errors made. The minimum acceptable typing speed is 40 net words per minute. Net words equals total words per minute minus errors. Keyboards will be provided.

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, including assignment to the department and unit scope, must be met as of the closing date.
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- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, 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.**
6. **SPECIAL NOTE TO ALL APPLICANTS** Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, **YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.**
7. 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 regular business hours on the closing date will not change the application filing deadline so **PLEASE FILE EARLY.**

DPF-256A * Revised 03/09

