



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE
ACTION OF THE
CIVIL SERVICE COMMISSION

In the Matter of Marie Moreira,
Supervisor Records Management,
Office of the Attorney General

CSC Docket No. 2017-1061

Examination Appeal

ISSUED: **DEC 23 2016** (RE)

The Office of the Attorney General (OAG) requests that Marie Moreira's out-of-title work experience in the titles Customer Service Information Specialist 1 and Principal Clerk Transcriber be accepted to qualify her for a prospective promotional examination for Supervisor Records Management.

By way of background, Ms. Moreira's credentials were reviewed to determine if she satisfied the requirements for the position of Supervisor Records Management. In this regard, it is noted that the requirements for Supervisor Records Management are graduation from an accredited college or university with a Bachelor's degree *and* four years of record storage experience, one of which shall have been in a supervisory capacity involving records management. Applicants who do not possess the required education can substitute additional experience on a year for year basis. In the attached determination, dated May 24, 2016, the Division of Agency Services (DAS) found that Ms. Moreira possessed the required degree, and four months of applicable experience as a result of the attached classification review of her position. DAS also found that she possessed over ten years of out-of-title work experience, which it could not credit. Accordingly, she was found to be lacking three years, eight months of applicable experience, including one year of applicable supervisory experience. DAS determined that any supervisory experience accrued was not acceptable as she was, and is, supervising only non-professional/support staff.

The information on Ms. Moreira's application indicates that she possessed over ten years of out-of-title work performing applicable duties as a Customer

Service Information Specialist 1 and Principal Clerk Transcriber. In its petition to the Civil Service Commission, OAG requests that Ms. Moreira's out-of-title work be accepted. In addition, OAG argues that the Commission has determined that the essential component of supervision is the responsibility of formal performance evaluations of subordinate staff, without regard to the level and scope of the staff being evaluated. OAG also provides a listing of Ms. Moreira's duties.

N.J.A.C. 4A:4-2.6(c) provides that 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, unless good cause is shown for an exception.

CONCLUSION

In the present matter, a review of Ms. Moreira's credentials in comparison to the requirements for Supervisor Records Management indicated that she lacked three years, eight months of in-title experience as of May 2015. However, the record confirms that she possessed over ten years of out-of-title experience in her Customer Service Information Specialist 1 and Principal Clerk Transcriber positions, four months of which were confirmed by the attached classification review. As to the issue of supervision, generally, supervision of para-professional and/or clerical employees would not be considered at a level and scope sufficient to establish eligibility for a professional supervisory title. This tenet is clear when the title series is well-defined. In this instance, the Supervisor Records Management title is not in a defined title series, having no supervisory responsibility for related professional positions. Ms. Moreira does not supervise professional staff, yet DAS found her to be properly classified in this title. Without a suggestion of which professional level titles are appropriate in the field of Records Management, and without a defined title series, it is unrealistic to expect an incumbent Supervisor Records Management to supervise professional-level staff. Thus, Ms. Moreira's supervisory experience over para-professional and/or clerical employees should be accepted. With the acceptance of verified out-of-title experience in this case, she satisfies the eligibility requirements. Under these circumstances, good cause is presented to accept Ms. Moreira's out-of-title work in order to qualify her for any upcoming promotional examination for Supervisor Records Management.

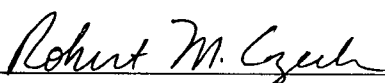
ORDER

Therefore, it is ordered that this request be granted and Ms. Moreira's applicable out-of-title experience be accepted for a prospective promotional examination for the subject title. Ms. Moreira is to provide a copy of this decision with any future promotional application that she submits upon examination announcement for Supervisor Records Management. In addition, DAS should also

accept applicable and documented out-of-title work experience from other promotional examination applicants.

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 DECEMBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Enclosure

c: Marie Moreira
Mirella Bednar
Kelly Glenn
Michael Johnson
Records Center



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION
AGENCY SERVICES
P.O. Box 313
Trenton, New Jersey 08625-0313

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

TO: Mirella Bednar, Director
Department of Law & Public Safety

DATE: May 24, 2016

FROM: Michele Vandenberg
Human Resource Consultant

SUBJECT: Request for Evaluation

You have requested that a review of credentials be performed in order to determine if **MarieLucie Moreira** meets the requirements for the position **Supervisor Records Management**.

The requirements for this position include:

Education: Graduation from an accredited college or university with a Bachelor's degree.

Note: Applicants who do not possess the required education may substitute experience as indicated below on a year-for-year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Four (4) years of record storage experience, one (1) of which shall have been in a supervisory capacity involving records management.

Note: A Master's degree in Public Administration, Business Administration, Economics, Finance, Accounting, History, or Library Science may be substituted for one (1) year of required experience.

In response, please be advised that the Division of Agency Services' staff have determined that the above-mentioned individual:

[X] Does not meet the requirements of this position for the reasons listed below:

Ms. Moreira has the required Bachelor's degree. Per classification review dated February 6, 2016, Ms. Moreira has four (4) months of general records storage experience. She was not credited with any other applicable experience. Therefore, she lacks three (3) years and eight (8) months of experience, one (1) year of which shall have been in a supervisory capacity involving records management. Although she does indicate that she is supervising staff, the supervision performed is not at level and scope required as she is only supervising non-professional/support staff. Therefore, she did not receive credit for the supervision requirement.

Out-of-title work experience for the title under review:

Ms. Moreira has indicated over ten (10) years of out-of-title records storage experience while serving as a Customer Service Information Specialist 1 (11/2010-present) and Principal Clerk Transcriber (12/2003-10/2010). Please note that all out-of-title experience must be approved by the New Jersey Civil Service Commission (Board). However, even if her out-of-title experience is approved, she would still not meet the requirements for this position as she would still lack one (1) year of supervisory experience involving records management.

c. Team Leader: Staci Fanelli

