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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE
ACTION OF THE
CIVIL SERVICE COMMISSION

In the Matter of Colleen Karr,
Tourism Representative 2 (S0185T),
Statewide

CSC Docket No. 2016-1015

Examination Appeal

ISSUED: **DEC 13 2016** (RE)

Colleen Karr appeals the determination of the Division of Agency Services (DAS) that she did not meet the experience requirements, per the substitution clause for education, for the open-competitive examination for Tourism Representative 2 (S0185T), Statewide.

The subject examination announcement was issued with a closing date of March 30, 2015 and was open to candidates who were residents of New Jersey and who met the announced requirements. These requirements, which had to be met as of the closing date, included graduation from an accredited college or university with a Bachelor's degree, and two years of experience in public relations, advertising or promotional activities relating to the tourism and travel industry including contacts with tourist, travel, motel/hotel and convention trade associations utilizing all forms of media (TV, radio, print and electronic). Applicants who did not possess the required education could substitute experience as indicated on a year for year basis with 30 semester hour credits equal to one year of experience. A Master's degree in Journalism, Public Relations, or a closely related field could be substituted for one year of the required experience. Per the substitution clause for education, the appellant was determined to be below minimum requirements in experience. It is noted that eight candidates appear on the eligible list which has been certified once, and two appointments have been made.

Ms. Karr indicated on her application that she possessed 33 college credits, which prorated to one year, one month of experience. Per the substitution clause for

education, she was required to possess four years, 11 months of applicable experience. Ms. Karr listed four positions on her application and resume: Contract Administrator 1, Technical Assistant 1 and 2, and Domestic Product Specialist with the Department of State, and Legislative Aide with the New Jersey Legislature, 7th District. None of this experience was accepted, and she was found to be lacking four years, 11 months of applicable experience.

On appeal, Ms. Karr argues that her experience as a Domestic Product Specialist and Contract Administrator 1 should be accepted. She provides a more detailed listing of her duties, and also a resume which lists her duties in bulleted form.

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.

CONCLUSION

A review of the appellant's application reveals that she does not meet the announced requirements. At the outset, it is noted that qualifying experience has the announced experience as the primary focus. The amount of time, and the importance of the duty, determines if it is the primary focus. An experience requirement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they primarily performed all of those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience. *See In the Matter of Jeffrey Davis* (MSB, decided March 14, 2007). As such, in order to be qualifying, the primary focus of a position in this instance needed to be public relations, advertising or promotional activities relating to the tourism and travel industry including contacts with tourist, travel, motel/hotel and convention trade associations *utilizing all forms of media* (TV, radio, print and electronic). Not all positions within the Department of State have these duties as the primary focus, and merely working for the Division of Travel and Tourism is not an indication that a candidate possesses the required experience.

Ms. Karr was credited with 33 college credits, and thereby needed four years, 11 months of qualifying experience per the substitution clause for education. None of her experience is qualifying. When an applicant indicates extensive experience in titles established under the State Classification Plan for an open competitive examination, it is appropriate to utilize the job specifications to determine the primary focus of the duties of incumbents serving in career service titles. In the eligibility screening process for open competitive examinations, reliance on the job specifications to determine the primary focus of duties for incumbents of a particular title or title series provides a standardized basis on which DAS can compare what an applicant indicates on his or her application to what incumbents

in a particular title series generally perform. *See In the Matter of William Moore* (MSB, decided May 10, 2006).

Ms. Karr was a Contract Administrator 1, which was established by a classification review. A Contract Administrator 1 performs, as the primary focus, the review and administration of various contracts and/or grants; provides technical assistance in the areas of contract and/or grant preparation, monitoring and/or evaluation; and provides recommendations for contract/grant approval to supervisory staff. The primary purpose of a grant, such as for funding tourism, is not the primary focus of the duties of the Contract Administrator 1.

Similarly, the Technical Assistant 1 Department of State performs highly complex technical, or paraprofessional duties and/or takes the lead overseeing individuals supporting and relieving the professional staff of routine tasks and duties. The appellant indicated that in this title she administered grant programs; reviewed grant budgets, guidelines, proposals, reports, and contracts; awarded determinations and was responsible for compliance; oversaw files and records; created reports; and assisted visitors. Her duties as a Technical Assistant 2 Department of State were similar. While experience in these positions was in the field of tourism and travel, the duties do not match the announced experience requirement. The positions' duties were not directly involved in public relations, advertising or promotional activities.

As a Domestic Product Specialist, the appellant implemented projects at the Director's request, such as group tour research; created and compiled group and individual tour itineraries and provided assistance in facilitating special promotional projects; assisted visitors with inquiries and offered advice on tourism opportunities, including hotel lodging, natural and historical sites, museums, recreational activities, camping, shopping, dining, group tour possibilities and transportation options, communicating both verbally and in writing; maintained all grant records; reviewed applications and final reports for applicant and grantee compliance with programs; researched and communicated specific, appropriate written responses, addressing concerns and to rectify errors and non-compliance of grant programs; and compiled and updated program requirements and guidelines for marketing grant application process. This position did not involve contacts with travel, motel/hotel and convention trade associations, and it did not utilize all forms of media (TV, radio, print and electronic). Ms. Karr's experience as a Legislative Aide is clearly inapplicable. Ms. Karr lacks four years, 11 months of applicable experience per the substitution clause for education.

An independent review of all material presented indicates that the decision of DAS 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 her burden of proof in this matter.

ORDER

Therefore, it is ordered that this 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 7th DAY OF DECEMBER, 2016



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c: Colleen Karr
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