

supervises and coordinates assignments of lower-level staff; and provides information to interested parties. In support of her appeal, the appellant submits a letter from her supervisor, Cindy Miller, a Deputy Director of the New Jersey Division of Consumer Affairs, who verifies the duties that the appellant contends that she performs on appeal.

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.

Initially, Agency Services correctly credited the appellant with two years and 10 months of experience per the substitution clause for her 85 college credits. On appeal, the appellant contends that her experience as a Senior Clerk Typist and Clerk Typist satisfies the experience requirement. However, after a careful review of the record, it is clear that such experience does not satisfy this requirement. Although the experience the appellant gained in these titles may relate to the experience required, her experience does not rise to the level and scope of providing administrative support services and/or coordinating work activities in a business or government agency, as contemplated by the examination announcement.

Moreover, even if the appellant's experience was relevant to the required experience, her performance of those duties would constitute out-of-title work. *N.J.A.C.* 4A:4-2.6(c) generally provides that applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements unless good cause exists. This is because constant, repeated or lengthy out-of-title work assignments of career service employees are damaging to the system, create salary inequities and undermine the integrity of the classification plan. See *In the Matter of Suzanne M. F. Buriani-DeSantis* (CSC, decided July 30, 1985); and *In the Matter of Joyce Mutak* (MSB, decided February 24, 1987). Generally, the Commission finds good cause where the record evidences that the examination situation is not competitive, no third parties are adversely impacted, and the appointing authority wishes to effect permanent appointments and verifies that the appellants have performed the relevant duties which otherwise satisfy the eligibility requirements. See *In the Matter of John Cipriano, et al.* (MSB, decided April 21, 2004). In the instant matter, a complete eligible list exists as three applicants were found eligible. Moreover, although the appellant submits a letter of support from her supervisor, the letter merely affirms her description of the duties she contends she performs on appeal. As described above, careful review of her appeal and application indicates that she does not have three years and two months of the required experience. Rather, it appears that the primary focus of the appellant's duties is clerical. In this regard, it has been established that 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*

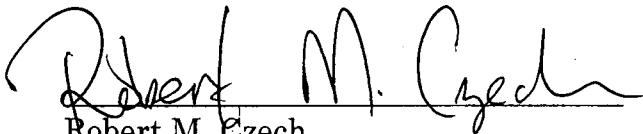
Bashkim Vlashi (MSB, decided June 8, 2004). A thorough review of all material presented indicates that the determination of Agency Services, that the appellant did not meet the announced requirements for eligibility by the examination closing date, is supported by the record. Therefore, the appellant 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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