



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Kimberly Mottley,
Secretarial Assistant 3, Non-
Stenographic (PS4972D), Department
of Community Affairs

Examination Appeal

CSC Docket No. 2018-892

ISSUED: NOV 03 2017 (SLK)

Kimberly Mottley appeals the determination of the Division of Agency Services (Agency Services) that she was below the minimum requirements in experience for the promotional examination for Secretarial Assistant 3, Non-Stenographic (PS4972D), Department of Community Affairs.

The examination at issue was announced with specific requirements that had to be met as of the June 21, 2017 closing date (see attached). The appellant was the only employee who applied for the subject examination and was deemed ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

Personnel records indicate that the appellant provisionally served in the subject title from April 2017 to the June 21, 2017 closing date, was a Principal Clerk from September 2015 to April 2017, and served in other clerical positions from December 2001 to September 2015. Additionally, the appellant listed on her application that she was a Bank Teller Supervisor for Commerce Bank from July 1998 to August 2002 and a Clerk for Joule Staffing Solutions from September 2001 to December 2001. Agency Services credited the appellant with 1 year and 10 months of experience based on her provisional service in the subject title and her experience as a Principal Clerk, but determined that she lacked 1 year and 3 months of experience.

On appeal, the appellant clarifies her application by providing examples of secretarial and administrative duties that she performed as a Bank Teller Supervisor.

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. *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.

Initially, Agency Services correctly determined that the appellant did not meet the requirements as the primary focus of her clerical positions in State service prior to September 2015 and her positions outside of State service were not providing both secretarial and administrative duties. However, in accordance with *N.J.A.C.* 4A:4-2.1(g), the Commission can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties performed in a given position that expands or enlarges on information previously submitted is considered clarifying. On appeal, the appellant clarifies her position as a Bank Teller Supervisor by describing administrative and secretarial duties that she performed in this position. The Commission notes several circumstances present that provide good cause to accept the appellant's experience as applicable experience. In this regard, while the appellant's primary focus of her duties as a Bank Teller Supervisor may not have been both secretarial and administrative, it cannot be ignored that the appellant has performed administrative and secretarial duties throughout her career as far back as 1998. Further, the examination has been cancelled due to a lack of qualified applicants and the appellant continues to serve provisionally in the subject title. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept her experience, for eligibility purposes only, and admit her to the subject examination.

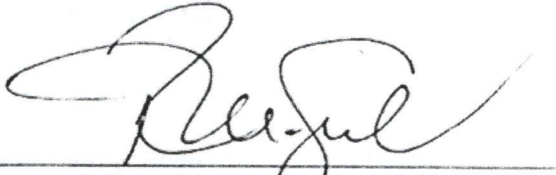
This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded and Kimberly Mottley'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 1st DAY OF NOVEMBER, 2017



Robert M. Czech, Chairperson
Civil Service Commission

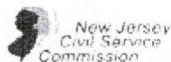
Inquiries
and
Correspondence

Christopher S. Myers
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: Kimberly Mottley
Jodi Evangelista
Kelly Glenn
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE

PROMOTIONAL ANNOUNCEMENT
\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC
SYMBOL: **PS4972D**

WEIGHT CODE: *

TITLE: **SECRETARIAL ASSISTANT 3 NON-STENOGRAPHIC**SALARY: **\$39,457.00 - \$55,414.00**ISSUE DATE: **June 01, 2017**CLOSING DATE: **June 21, 2017**TITLE CODE: **24531C/RYRXR4**CLASS CODE: **16**DEPARTMENT: **CAA/COMMUNITY AFFAIRS**UNIT SCOPE: **D255 Office of the Commissioner**APPLICATIONS MAY BE OBTAINED
FROM AND MUST BE RETURNED TO:
 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):

Principal Clerk Typist

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: Three (3) years of experience in secretarial and administrative clerical work.

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. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) 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. If you have a current typing proficiency certificate you should attach a copy to your application. 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. 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 must be met as of the closing date, including assignment to the department and unit scope, and satisfying the permanent status requirement.
2. ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. YOU MUST COMPLETE YOUR APPLICATION IN DE LATE. 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 Department of Military and Veterans Affairs (DMAVA) (as defined by N.J.S.A. 17A:5-1 et seq.). Those claiming Veterans Preference but have not yet received approval from DMAVA must pay the full application fee and may request a refund if the claim is approved 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.

8. Application fees submitted via personal check or money order must be postmarked within **five (5) business days** of submitting your application. If your fee is postmarked after five (5) business days, or is returned as invalid, you will be declared ineligible and denied admittance to the examination process.

DPF-256A * Revised 07/06

