

B-13



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Maureen O'Rourke,
Administrative Analyst 2
Procurement (S0152T), Statewide

CSC Docket No. 2016-948

Examination Appeal

ISSUED: **OCT 22 2015** (RE)

Maureen O'Rourke appeals the determination of the Division of Agency Services (DAS) which found that she did not meet the experience requirements for the open-competitive examination for Administrative Analyst 2 Procurement (S0152T), Statewide.

The subject examination announcement was issued with a closing date of June 30, 2015, and was open to residents of New Jersey who possessed a Bachelor's Degree from an accredited college or university AND who possessed three years of experience in the procurement/purchasing process through the competitive bidding process for a large public or private organization. Applicants who did not possess the required education could substitute additional experience on a year for year basis with 30 semester credit hours being equal to one year of experience. Also, a Master's Degree in Business Administration, Public Administration, Economics, Finance or Accounting could be substituted for one year of the indicated experience. Ms. O'Rourke was found to be below the minimum requirements in experience. Twenty-eight candidates have been admitted, but the examination has not yet been scheduled.

The appellant met the educational requirements and she listed four positions on her application: Auditor 2, Assistant Buyer, Technical Assistant 1, Insurance and Principal Audit Account Clerk. Her 7 months of experience in the first position, and 1 year, 6 months of experience in the second position was accepted. The remainder was not and she was found to be lacking 11 months of required

experience. On appeal, Ms. O'Rourke provided a brief history of her employment, and reasons that she possesses over 6 years in procurement in all four positions.

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

At the outset, it is noted that titles are categorized as professional, para-professional or non-professional. *N.J.A.C.* 4A:4-2.5(a)1 states that professional titles require at least a Bachelor's or higher level degree, with or without a clause to substitute experience. Thus, since the Administrative Assistant 2 Procurement title requires completion of a Bachelor's degree with a substitution clause, which permits additional experience in lieu of the college credits, as well as three years of relevant experience, it is considered a professional title. Further, professional work is basically interpretive, evaluative, analytical and/or creative requiring knowledge or expertise in a specialized field of knowledge. This is generally acquired by a course of intellectual or technical instruction, study and/or research. *See In the Matter of Lewis Gordon* (Commissioner of Personnel, decided September 27, 1997) (Youth Worker title series not considered to be at a level and scope consistent with professional experience).

Conversely, *N.J.A.C.* 4A:4-2.5(a)2 states that para-professional titles require at least 60 general college credits or 12 or more specific college credits, with or without a clause to substitute experience. Also, *N.J.A.C.* 4A:4-2.5(a)3 states that non-professional titles require less than 60 general college credits or less than 12 specific college credits. The State title Principal Audit Account Clerk is a non-professional title as it does not require any college credits, while the title Technical Assistant 1, Insurance is a para-professional title. Neither of these positions had the professional experience in the procurement/purchasing process through the competitive bidding process as the primary focus. That is, the usual duties performed in these titles are not at the level and scope of professional procurement experience. On her application, the appellant did not provide any duties for her Technical Assistant 1, Insurance position. As a Principal Audit Account Clerk, the appellant listed that she provided assistance with review and analysis of procurement procedures, and assisted in analyzing products and dates and in making recommendations for cost savings. This was not the same as the announced experience requirement. Thus, experience in these positions is not qualifying, and the appellant lacks 11 months of required experience.

The appellant was denied admittance to the subject examination since she lacked the minimum requirements in experience. An independent review of all material presented indicates that the decision of the DAS that the appellant did not meet the announced requirements for eligibility by the closing date is amply

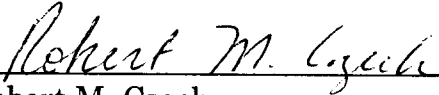
supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support her burden of proof in this matter.

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 21st DAY OF OCTOBER, 2015



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