

B-68

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Maria Soto, Senior  
Management Assistant (PS8147K),  
Department of Human Services

Eligibility Appeal

CSC Docket No. 2015-689

ISSUED: APR - 6 2015 (LDH)

Maria Soto appeals the determination of the Division of Selection Services<sup>1</sup> (Selection Services), which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Senior Management Assistant (PS8147K), Department of Human Services.

The subject promotional examination was announced with a closing date of March 21, 2014. The examination was open, in part, to individuals who possessed a Bachelor's degree and two years experience performing complex administrative support work which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures. Applicants who did not possess the required education could substitute additional experience as indicated on a year for year basis, with 30 semester hours being equal to one year of experience. It is noted that that the examination was cancelled as no applicants were deemed eligible.

Initially, it is noted that the appellant did not indicate on her application that she possessed any college credits. Therefore, pursuant to the substitution clause she needed to possess six years of applicable experience. The appellant also indicated that she had served provisionally as a Senior Management Assistant from April 2011 to the closing date; as a Secretarial Assistant 3, Non-Stenographic from May 2002 to April 2011; as a Senior Clerk Typist from September 1993 to November 1993; as a Principal Clerk Typist from June 1992 to October 1992; as a Senior Clerk Typist from September 1987 to June 1992; and as a Clerk Typist from December 1986 to September 1987. Some of her duties and responsibilities include maintaining confidential staff files; typing letters, memorandums, various reports,

<sup>1</sup> Now, Division of Agency Services

forms and charts for signatures of supervisor, Assistant Directors, Director, photocopying, distribution and filing of same; and providing assistance with the building complaints, keeping a log of complaints and following up with Treasury to make sure complaints are handled in a timely fashion. Based on the foregoing, Selection Services credited the appellant with three years of applicable experience based on her provisional experience as a Senior Management Assistant.

On appeal to the Civil Service Commission (Commission), the appellant argues that she meets the minimum experience requirements as she possesses more than ten years of applicable experience. The appellant also maintains that as a Secretarial Assistant 3, Non-Stenographic she performed "complex administrative support work." In this regard, she notes that the requirements for the Secretarial Assistant 3, Non-Stenographic are three years of "administrative clerical work." Moreover, she argues that as a Secretarial Assistant 3, Non-Stenographic, her duties required the application of rules, regulations, policies and procedures. In support, she reiterates her duties and submits her resume.

### 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:4-2.6(c)* provides that, except when permitted for good cause, 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. *N.J.A.C. 4A:4-6.3(b)* provides that the appellant has the burden of proof in examination appeals.

Initially, it is noted that Selection Services correctly determined that the appellant was ineligible for the subject examination. Pursuant to the substitution clause for education, the appellant needed six years of the indicated experience to be deemed eligible for the examination. However, a review of the appellant's application reveals that she only possessed three years of the required experience based on her provisional service as a Senior Management Assistant.

The appellant's duties and responsibilities as a Secretarial Assistant 3, Non-Stenographic are not applicable as they are not at the same level or scope as the subject title's duties and responsibilities. On her application, the appellant described her experience as Secretarial Assistant 3, Non-Stenographic as assisting manager with personal issues; inputting and monitoring data on the Compass 3E and Paradox security system for all DFD/DMAHS employees and visitors; assisting with tracking all visitor passes issued on a daily basis to all visitors requesting access into the buildings; and maintaining all security sign-in logs for future references. However, the duties and responsibilities for the subject title must be complex and involve frequent exercise of independent judgment. It extends beyond

basic tasks such as opening and sorting mail, recording messages, and routine manual or electronic document preparation. It implies complete responsibility for the specific content area. *See In the Matter of Julia Tirado* (MSB, decided June 8, 2005) (Job specifications indicated that incumbent performs general clerical duties, such as a Senior Data Entry Machine Operator, would not be considered administrative clerical experience). The appellant did not perform complex administrative support work when she was serving in the title of Secretarial Assistant 3, Non-Stenographic. The appellant did not interpret, verify and/or apply department/agency rules, regulations, policies and procedures. Rather, she performed basic administrative support work. Specifically, she "maintained timesheets for the unit, input timekeeping onto eCats database and assisted staff with timekeeping and personal issues."

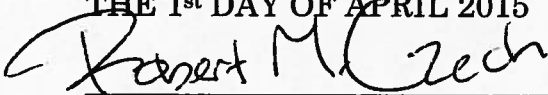
Similarly, the appellant's duties as a Principal Clerk Typist, Senior Clerk Typist and Clerk Typist were not in performing complex administrative support which must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures. Rather, these positions entailed performing basic administrative support. In addition, the appellant has failed to articulate her interpretation, verification and/or application of department/agency rules, regulations, policies and procedure in these positions. The duties and responsibilities of these positions are not of the same level and scope of the subject title. An independent review of all material presented indicated that the decision of Selection Services, that the appellant did not meet the announced requirements for eligibility by the closing date, is 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 the 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 1<sup>st</sup> DAY OF APRIL 2015



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