



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

In the Matter of Maria Calderon, Assistant Purchasing Agent (PM1350T), Paterson

CSC Docket No. 2016-1575

Examination Appeal

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ISSUED: NOV 16 2016 (RE)

Maria Calderon appeals the determination of the Division of Agency Services which found that Ms. Calderon did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Assistant Purchasing Agent (PM1350T), Paterson.

The subject examination announcement was issued with a closing date of July 21, 2015, and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor's degree, and four years of experience in the writing of purchase specifications and in the purchase of equipment, materials, and supplies in a large government or private agency. Applicants who did not possess the required education could substitute additional experience with one year of experience equivalent to 30 semester hour credits. Per the substitution clause for education, the appellant was found to be below the minimum requirements in experience. As she was the sole applicant, the examination was cancelled on October 25, 2015.

Ms. Calderon indicated that she possessed no college credits, and therefore was required to have eight years of applicable experience. She listed one position on her application, Purchasing Assistant from March 1996 to July 2015. Official records indicate a different employment history. These records indicate that the appellant was a Keyboarding Clerk 1 from March 1996 to March 1997, a Community Services Aide to July 1998, a Purchasing Assistant to April 2014, and a

provisional Assistant Purchasing Agent to the July 8, 2015 closing date. She was credited with one year, three months in her provisional position, and she was found to be lacking six years, nine months of qualifying experience.

On appeal, Ms. Calderon submitted her resume which states that she has been doing the duties of an Assistant Purchasing Agent, working out-of-title, since 2004. She also submits certifications for training courses she completed, including a certificate designating her as a Qualified Purchasing Agent. Additionally, the Business Administrator submits a letter verifying that the appellant has been performing the duties of an Assistant Purchasing Agent since 2004.

*N.J.A.C. 4A:4-2.6(a)* provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C. 4A:4-2.6(c)* provides in pertinent part that 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, unless good cause is shown for an exception.

### CONCLUSION

The appellant was correctly deemed to be ineligible for the subject examination since she lacked minimum requirements in experience per the substitution clause for education. However, the appointing authority has indicated that Ms. Calderon performed applicable out-of-title duties for at least an additional six years, nine months while in the title Purchasing Assistant. With the acceptance of this out-of-title work, Ms. Calderon possesses the required experience. The examination was not competitive, with no admitted candidates, and Ms. Calderon remains in her provisional position as an Assistant Purchasing Agent. Thus, based on the documentation submitted and under these circumstances, good cause exists to accept Ms. Calderon's out-of-title work experience to satisfy the requirements for the Assistant Purchasing Agent examination.

### ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

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 10<sup>th</sup> DAY OF NOVEMBER, 2016



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