

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Brenda Louis,
Technical Assistant Higher
Education (PS9981J), William
Paterson University

Examination Appeal

CSC Docket No. 2016-1908

ISSUED: **NOV 16 2016** (SLK)

Brenda Louis 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 Technical Assistant Higher Education (PS9981J), William Paterson University.

The examination at issue was announced with specific requirements that had to be met as of the February 21, 2015 closing date (see attached). A total of seven employees applied for and four were deemed eligible for the subject examination. Certification PS151739 was issued containing the names of the four eligibles. The certification was disposed with the appointing authority appointing one eligible, bypassing one eligible, one eligible was interested in future certifications only, and one eligible was not interested. The eligible list expires on November 18, 2018. It is noted that four employees continue to serve provisionally in the title under test. Therefore, the list is incomplete.

Ms. Louis indicated on her application that she was serving provisionally in the subject title from September 2014 to the February 21, 2015 closing date, a Principal Clerk Typist from September 2012 to September 2014, and a Senior Clerk Typist¹ from November 2003 to September 2012. Agency Services credited the appellant with having six months of experience based on her provisional experience in the subject title, but determined that she lacked three years and six months of experience.

¹ Personnel records indicate that the appellant was a Senior Clerk Typist from July 2005 to September 2012 and a Clerk Typist from February 2005 to July 2005.

On appeal, Ms. Louis presents that she initially spent two years in the Office of Human Resources, then she spent seven years in Physical Plant Operations, and now it has been more than two years where she has worked in the College of Science and Health Dean's Office. In these positions, she states she gained experience supervising and reviewing work procedures and training faculty, staff, and student employees on various software programs. She also submits her resume which provides further details on her experience. She asserts that her experience is why the appointing authority provisionally appointed her to the subject title in September 2014.

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 may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

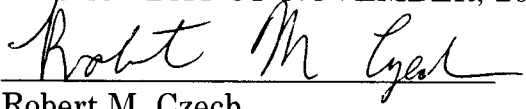
Initially, Agency Services correctly determined that the appellant did not meet the required experience as of the February 21, 2015 closing date. However, in addition to the appellant's provisional service in the subject title, a review of Ms. Louis' resume, which is consistent with the job specifications for Principal Clerk Typist and a Senior Clerk Typist, indicates that the appellant in these positions exercised independent judgment on written materials and numerical data in order to process information in accordance with department laws, rules, regulations, policies and/or procedures. Furthermore, the appellant continues to serve provisionally in the subject title and this is not a competitive situation as four employees continue to provisionally serve in the subject title but only three names remain on the list. Therefore, under these circumstances, good cause exists to accept the appellant's provisional experience after the closing date and the totality of her experience since July 2005, for eligibility purposes only, and admit her to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted and Ms. Brenda Louis' 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 10th DAY OF NOVEMBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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: Brenda Louis
Denise Robinson Lewis
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: PS9981J	WEIGHT CODE: *
TITLE: TECHNICAL ASSISTANT HIGHER EDUCATION	SALARY: \$39,457.00 - \$55,414.00
ISSUE DATE: February 01, 2015	CLOSING DATE: February 21, 2015
TITLE CODE: 82314/NYRXR4	CLASS CODE: 16
DEPARTMENT: HIUP/STATE COLLEGES & UNIVERSITIES	APPLICATION DEADLINE: August 21, 2015
UNIT SCOPE: J500 William Paterson University	

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):

Technical Assistant 2 Higher Education

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:

Education: Completion of thirty (30) semester hours at an accredited college or university. You must indicate the total number of college credits completed to date on your application. If you expect to complete additional credits within four months of the closing date, you must also indicate the number and expected completion date on 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.

Experience: Three (3) years of experience in the review, analysis, and evaluation of written materials or numerical data which is processed according to specific statutes, rules, regulations, and/or policies in a public or private organization.

Note: An additional thirty (30) semester hours at an accredited college or university may be substituted for one (1) year of experience.

Note: Applicants who do not possess the required education may substitute additional experience as indicated above on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

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.

NOTE: All requirements must be met as of the above closing date, however applications will be accepted up to and including **August 21, 2015**.

SPECIAL NOTE: IF YOU FILED AN APPLICATION FOR THIS ANNOUNCEMENT DURING THE ORIGINAL POSTING PERIOD YOU DO NOT HAVE TO FILE AGAIN, unless you would like to supplement your original application based on this amendment. If you file a supplemental application, please do not send an additional application fee.

Amended 8/1/15

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
2. YOU MUST COMPLETE YOUR APPLICATION IN DETAIL. 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 DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA 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.**

DPF-256A * Revised 03/09