

B-35



STATE OF NEW JERSEY

In the Matter of Lawrence Marinari,
Technical Support Specialist 2
(PS3078U), Department of the
Treasury

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-1484

Examination Appeal

ISSUED: MAY 08 2017 (JET)

Lawrence Marinari appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Technical Support Specialist 2 (PS3078U), Department of the Treasury.

The subject examination was announced with a closing date of June 21, 2016 and was open to employees serving in a title listed in the announcement who possessed an Associate's degree in Data Processing and two years of experience in the study of work methods and processes, the analysis of varied types of data, the design and preparation of systems and programs, the operation of multi-programming or client/server computer systems and work in the data processing support areas of input/output control, scheduling, reliability or user support. Additional experience could be substituted for the required education on a year-for-year basis. The examination was cancelled on November 18, 2016, since all four applicants, including the appellant, were found ineligible for the examination.

A review of the appellant's application reveals that he did not possess an Associate's degree but did possess 41 college credits. Accordingly, he was required to possess two years and eight months of applicable experience pursuant to the substitution clause in the announcement. He also listed that he served provisionally in the subject title from January 2016 to the June 21, 2016 closing date, as a Technical Assistant, Management Information Systems, from May 2010 to January 2016, and as a Computer Operator Assistant from June 2003 to May

2010. Official personnel records indicate that the appellant served as a Technical Assistant, Management Information Systems, from January 2010 to January 2016, and as a Computer Operator Assistant from June 2003 to January 2010.¹ Agency Services credited the appellant seven months of applicable experience for his provisional service in the subject title. However, it did not credit him with any other applicable experience. Accordingly, Agency Services determined that the appellant was ineligible for the subject examination.

On appeal, the appellant provides clarifying information indicating, among other things, that he performed applicable duties while serving provisionally in the title under test and that he performed many similar duties as a Technical Assistant, Management Information Systems. The appellant states that his duties included, among other things, working help desk, analyzing work methods, reviewing data analysis, and completing system design.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the announcement by the closing date.

Under *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. However, *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. See *In the Matter of Diana Begley* (MSB, decided November 17, 2004).

In this case, the appellant provides clarifying information regarding the duties he performed as a Technical Assistant, Management Information Systems. Upon review, the Commission is satisfied that the clarified experience he provided in his appeal satisfies the required experience. Under these circumstances, the appellant should be admitted to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded and the appellant's application be processed for prospective employment opportunities only.

¹ Additionally, the appellant was provisionally promoted after the closing date of the subject announcement to the title of Technical Support Specialist 1, effective October 29, 2016.

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 3rd DAY OF MAY, 2017



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