



## STATE OF NEW JERSEY

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**FINAL ADMINISTRATIVE ACTION**  
**OF THE**  
**CIVIL SERVICE COMMISSION**

 In the Matter of Rosa Aquino and  
 Phulmanie Shievkumar,  
 Administrative Analyst (PM0559W),  
 Jersey City Public Schools

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 Examination Appeal

 CSC Docket Nos. 2019-1470 and  
 2019-1457

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**ISSUED: DECEMBER 21, 2018 (SLK)**

Rosa Aquino and Phulmanie Shievkumar appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Administrative Analyst (PM0559W), Jersey City Public Schools. These appeals have been consolidated due to common issues presented.

The examination at issue was announced with specific requirements that had to be met as of the March 22, 2018 closing date. The education requirement was a Bachelor's degree. The experience requirements were one year of experience in analyzing, evaluating, and providing advice to management on such matters as work methods and procedures, communications, budgeting, organizational structure, manpower utilization, distribution of work assignments, delegation of authority, policy development, records management, or similar areas. Applicants who did not possess the required experience could substitute applicable experience on a year for year basis, with 30 semester hour credits being equal to one year of experience. A total of 12 employees applied for the subject examination and four were admitted. The examination has not yet been scheduled.

On her application, Aquino indicated that she had a Bachelor's degree. Personnel records indicate that she was provisionally serving in the subject title from October 2017 to the March 22, 2018 closing date, a Clerk 3 from February 2013 to October 2017, a Clerk 2 from October 2011 to February 2013, a Clerk 3 from November 2010 to October 2011, a Clerk 2 from October 2009 to November 2010,

and a Clerk 1 from March 2006 to October 2009. Agency Services credited the Aquino with having met the education requirement, but determined that she lacked one year of the required experience.

Shievkumar indicated that she possessed an Associate's degree. Personnel records indicate that she was provisionally serving in the subject title from October 2017 to the March 22, 2018 closing date, an Administrative Clerk from February 2009 to October 2017, a Clerk 3 from December 2001 to February 2009, a Clerk 2 from February 1999 to December 2001, and a Clerk 1 from March 1997 to February 1999. Agency Services credited the appellant with having two years of experience based on her Associate's degree, but per the substitution clause, it determined that she lacked three years of experience.

On appeal, Aquino presents that in all her positions she has performed duties concerning the standard operating procedures manual, coordinating and following through on the submittal of yearly ethics reports, organizing and suggesting how things may be done in a more efficient and effective manner, and prioritizing staffing needs. Additionally, she indicates that she has trained clerical staff on financial and other systems. Further, she states that she reports budgeting information to superiors, approves purchase orders, actions forms, payroll, and payments for the department, organizes and delegates works, sets deadlines and timelines for reconciliations and closings as needed, communicates with a team and provides constructive criticism, and develops the budget, which also involves her team in determining the student counts and tuition rates. She submits letters of support from her superiors, which includes examples of the work she performs the required duties while serving provisionally in the subject title.

Shievkumar asserts that the various positions that she held over 21 years have given her the skills, knowledge and experience to be an Administrative Analyst. She highlights her Associate's degree. Shievkumar submits letters of support from her superiors, which includes examples of the work she is performing the required duties.

## 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:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In the instant matter, Agency Services correctly determined that the appellants are not eligible for the examination. Initially, it is noted that the appellants have only been serving in the subject title for six months prior to the closing date and the announcement requires either one year of experience with a Bachelor's degree, or per the substitution clause with an Associates' degree, three

years of experience. Consequently, even if the appellants were performing the required duties while serving provisionally in the subject title, they would not have the required experience as of the March 22, 2018 closing date. Further, as the list is complete, there is no reason to relax the rules. Moreover, a review of Aquino's application indicates that she primarily performs accounting/finance duties while provisionally serving in the subject title. Similarly, a review of Shievkumar's application indicates that she primarily performs administrative/clerical duties while provisionally serving in the subject title. While the appellants submit letters of support which give some examples where the appellants provide analysis, evaluation, and advice to management, in order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004).

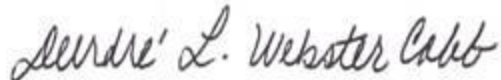
Therefore, since it appears that the appellants may not be currently performing the duties of an Administrative Analyst, it is appropriate to refer the matter of the classification of their provisional positions to Agency Services for review, and the appointing authority shall affect the proper classification of the positions within 30 days of Agency Services' classification determination.

### ORDER

Therefore, it is ordered that these appeals be denied. It is further ordered that the matter of the classification of the appellants' provisional positions be referred to the Division of Agency Services for further review.

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 19<sup>th</sup> DAY OF DECEMBER, 2018



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