



**STATE OF NEW JERSEY**

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

In the Matter of Jessmarie Acevedo,  
Client Services Representative  
(C0045B), Essex County

Examination Appeal

CSC Docket No. 2021-666

**ISSUED: APRIL 12, 2021 (RE)**

Jessmarie Acevedo, represented by David H. Weiner, CWA Local 1081, appeals the determination of the Division of Agency Services (Agency Services) which found that she did not meet the experience requirements for the open competitive examination for Client Services Representative (C0045B), Essex County.

The subject examination announcement was issued with a closing date of January 6, 2020. The examination was open to residents of Essex County who met the announced requirements of graduation from an accredited college or university with a Bachelor’s degree, and two years of experience providing direct and/or support services to the persons and families in need of social services. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis. The appellant possessed the required degree and was found to be below minimum requirements in experience. There are 44 eligible candidates, and the examination has not yet been held.

On her application, the appellant indicated that she possessed the required Bachelor’s degree, and she listed two positions, Keyboarding Clerk 1 from March 2018 to December 2019, and Customer Service Representative with Newark Municipal Court from January 2014 to October 2017. As none of this was applicable, she was found to be lacking two years of qualifying experience.

On appeal, the appellant states that she should be eligible for the examination as she has a Bachelor’s degree, experience as a provisional Client Services Representative for one year, seven months, and experience as a Keyboarding Clerk 1

which provides support services. She also states that she has additional experience as a Family Assessment Worker/Intake Counselor with La Casa de Don Pedro, full-time, from January 2008 to February 2010, and she provides duties for that position. She was also a part-time Data Keyer from February 2010 to October 2010 with that agency.

## CONCLUSION

*N.J.A.C.* 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

*N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date.

In the instant matter, based on the information available to Agency Services, it appropriately found that the appellant was not qualified for the subject title based on her failure to meet the experience requirements. Pursuant to *N.J.A.C.* 4A:4-2.1(f), any documentation indicating work in any setting that was not previously listed on an application or resume cannot be considered after the closing date. *See In the Matter of Joann Burch, et al.* (MSB, decided August 21, 2003) and *In the Matter of Rolanda Alphonso, et al.* (MSB, decided January 26, 2005).

In this case, the appellant did not indicate her provisional experience in the subject title. Official records indicates that she was advanced to Keyboarding Clerk 1 on November 2019, was a Social/Family Service Worker Trainee from October 2019 to November 2019, and was a provisional Family Services Worker Bilingual Spanish and English from March 2018 to October 2019.

Aside from the fact that it is axiomatic than an applicant for a position should describe his or her experience in a manner that would demonstrate meeting the qualifications for a particular position, as well as the fact that it is an applicant's responsibility to do so, the Commission provides sufficient instructions to all applicants with respect to filling out examination applications. Instructions for completing the application state, "Carefully review your application to ensure that it is complete and accurate before submitting," and "You must complete your application in detail. Your score may be based on a comparison of your background with the job requirements. Failure to complete your application properly may cause you to be declared ineligible or may lower your score if your application is your test paper." Further, the applications states, "Employment Record: You may be declared ineligible or you may not receive proper credit for scoring purposes if you do not properly complete your application. If you held different positions with the same employer, list each position separately. Make sure you give full dates of employment (month/year), indicate whether the job was full or part time, and the number of hours worked per week. If you are currently employed in this position, enter the current

month and year in the Employed To section. Since your application may be your only test paper, be sure it is complete and accurate. Failure to complete your application properly may cause you to be declared ineligible, lower your score, or possibly cause you to fail.” The Online Application System User Guide asks candidates to review the application to make sure the information is complete and accurate. It also states that, by clicking “yes” to make a payment and submit the application, the candidate is told that he or she is certifying that the application is complete and accurate. Additionally, the Guide includes instructions on submitting additional information by mail.

The appellant did not properly complete her application by providing her Keyboarding Clerk 1 experience separate from her experience as a Social/Family Service Worker Trainee or as a Family Services Worker Bilingual Spanish and English. The duties that she listed as a Keyboarding Clerk 1 are appropriate to the title. She indicated that she “perform(s) data entry trough [sic] internal systems. Translate for clients that do not speak English. Receive personal information from clients and help them resolve their need accordingly.” This description is clerical in nature and does not rise to the level and scope of the announced experience requirement. Her experience in the other two titles cannot be qualified, as she has not provided any duties for those titles. The appellant also did not list her provisional position, nor her positions with La Casa de Don Pedro on her application.

Next, titles are categorized as professional, para-professional or non-professional. *N.J.A.C.* 4A:4-2.5(a)1 states that professional titles require at least a Bachelor’s or higher level degree, with or without a clause to substitute experience. Thus, since the Client Services Representative title requires completion of a Bachelor’s degree with a substitution clause, which permits additional experience in lieu of the college credits, as well as relevant experience, it is considered a professional title. It is not the same as a Customer Services Representative, which is a clerical title. The appellant’s titles Keyboarding Clerk 1 and Customer Service Representative with the Newark Municipal Court do not require a Bachelor’s degree and therefore are not professional titles. As such, any experience gained in these titles is not professional experience, and would not meet the experience requirement.

On appeal, the appellant provides positions that were not on her original application, Family Assessment Worker/Intake Counselor and Data Keyer. *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 title 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. See *In the Matter of Diana Begley* (MSB, decided November 17, 2004). This is a competitive situation, with 44 admitted candidates. Further, a

review of the additional position submitted on appeal does not support that the appellant meets the announced requirements.

The appellant gained her experience as a Family Assessment Worker/Intake Counselor from January 2008 to February 2010, prior to admittance to a University and possession of a Bachelor's degree in 2017. She states that her duties included intake screenings and referrals, assisting clients with questions and applications, doing advocacy "as necessary," preparing daily and monthly reports, providing information on services, and translating. The duties are akin to the duties for the Human Services Specialist title series, which is technical work. It is not at the level and scope of the meaning of *providing* direct and/or support services. For example, the incumbent Client Services Representative screens client complaints, then investigates those complaints and takes necessary actions to resolve them. The incumbent informs them of their rights, and explains the nature and risks of treatment. Simply providing information is below the duties of this title. Also, 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). If advocacy was the primary focus of the Family Assessment Worker/Intake Counselor, it may have been applicable. However, "as necessary" indicates that it is ancillary to her primary duties in intake and assessment. Experience as a Data Keyer is clearly inapplicable. The appellant does not possess two years of applicable experience as of the closing date based on the information provided on her application.

An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

### ORDER

Therefore, it is ordered that this 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 7<sup>TH</sup> DAY OF APRIL, 2021

*Deirdre' L. Webster Cobb*

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Deirdre L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Christopher S. Myers  
Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P. O. Box 312  
Trenton, New Jersey 08625-0312

c: Jessmarie Acevedo  
David H. Weiner  
Division of Agency Services  
Records Center