



STATE OF NEW JERSEY

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

In the Matter of Therese Battaglio,
Administrative Secretary (PC2221B),
Ocean County

Examination Appeal

CSC Docket No. 2021-1228

ISSUED: APRIL 12, 2021 (SLK)

Therese Battaglio appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Administrative Secretary (PC2221B), Ocean County.

The experience requirements for the subject examination were five years of experience in in the capacity of a secretary to an executive or administrative official in a public or private organization by the March 23, 2020 closing date. Successful completion of a two-year program in secretarial science at an accredited college or university could be substituted for two years of the above experience. The appellant was the only applicant for the subject examination, and it was cancelled due to a lack of qualified candidates.

On the appellant’s application, she indicated that she was provisionally serving in the subject title from November 2019 to the March 23, 2020 closing date, a Keyboarding Clerk 3 from December 2018 to November 2019, a Keyboarding Clerk 2 from March 2016 to December 2018, a Keyboarding Clerk 1 from August 2007 to March 2016, and a Store Director for Victoria’s Secret Beauty from November 1997 to February 2005. Agency Services credited her with having five months of experience based on her provisional service in the subject title but determined that she lacked four years and seven months of experience.

On appeal, the appellant states that she did not attach a further description of her duties with her application regarding her positions as a Keyboarding Clerk 1 and 2 because an in-depth description was already included on prior applications in the Online Application System (OAS). She submits these further details on appeal. Additionally, she submits a letter of support from the appointing authority's Director, Department of Human Services. The Director indicates that when she hired the appellant, in addition to the appellant having served as a Store Manager for four years, she had served as an Administrative Secretary to the owner of a commercial electrical company for 10 years. The Director also explains that the appellant has served as her Administrative Secretary for the past six years and describes the appellant's duties in this capacity.

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:4-2.6(c) provides that, except when permitted for good cause, 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. *N.J.A.C.* 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date.

Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject title as the appellant's secretary duties to an executive or administrative official as a Keyboarding Clerk 3 were out-of-title. Further, the appellant did not indicate that she was performing the required duties as a Keyboarding Clerk 1 and 2, and if she had, those duties would also be considered out-of-title. Additionally, the appellant did not provide any confirmation from the appointing authority with her application that she performed the required duties while working out-of-title as a Keyboarding Clerk. Moreover, the appellant did not indicate on her application her position as an Administrative Secretary to the owner of a commercial electrical company for 10 years prior to her State service. However, on appeal, the appointing authority's Director, Human Services confirms that the appellant has been her Administrative Secretary for six years while serving in Keyboarding Clerk titles and the appellant possessed the required experience based on her private sector experience as an Administrative Secretary.

The circumstances present in this matter provide sufficient basis to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) to permit the appellant to amend her application as well as good cause to accept her confirmed out-of-title experience under *N.J.A.C.* 4A:4-2.6(c). Specifically, the record indicates that the appellant possessed the required experience as an Administrative Secretary prior to her government service. Further, the appellant gained additional experience while performing the required

duties out-of-title while serving in Keyboarding Clerk titles. Moreover, the appellant was provisionally appointed to the subject title and continues to successfully serve in this title after the closing date. Therefore, based on these circumstances, the Civil Service Commission (Commission) finds good cause to accept the appellant's amended application that includes Administrative Secretary experience in the private sector and her out-of-title experience as a Keyboarding Clerk, for eligibility purposes only, and to admit her to the subject examination.

The Commission cautions the appellant that, in the future, she should ensure that any applications are fully and completely filled out, including all her private sector experience and all duties for all positions. Her failure to do so will be cause for rejection from the selection process.

This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination announcement be rescinded, and the appellant's 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 7TH DAY OF APRIL, 2021

Deirdre' L. Webster Cobb

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