

B-97
CSC



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Deborah Palombi,
Personnel Assistant 2 (PS0820P),
Department of Law and Public Safety

Examination Appeal

CSC Docket No. 2016-1371

ISSUED: **DEC 17 2015** (SLK)

Deborah Palombi 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 Personnel Assistant 2 (PS0820P), Department of Law and Public Safety, Office of the Attorney General.

The examination at issue was announced with specific requirements that had to be met as of the May 21, 2015 closing date (see attached). Two employees applied for the examination and one was deemed eligible. Certification PS151529 was issued containing the name of the one eligible. The disposition of the certification is due January 8, 2016 and the eligible list expires on September 23, 2018.

On her application, Ms. Palombi indicated that she was provisionally serving in the subject title from December 2014 to the May 21, 2015 closing date, an Executive Secretarial Assistant¹ from December 2007 to December 2014, a part-time Committee Member for the International Public Management Association – Human Resources from January 2008 to December 2008, a part-time Board Member for the Burlington County Workforce Investment Board from April 2005 to April 2008, a Human Resource Consultant 1 from April 2004 to December 2007, a Technical Assistant 1, Department of Personnel from September 2001 to April 2004, a Technical Assistant 2, Department of Personnel from September 2000 to September 2001, and a Principal Clerk Typist from June 1999 to September 2000.

¹ Ms. Palombi's application also indicated that from May 2008 to December 2014 as an Executive Secretarial Assistant she was performing the out-of-title duties of a Claims Investigator 3 and 4.

She also possesses 16 college credits. Personnel records also indicate that she was a Judiciary Principal Clerk Typist from October 1997 to June 1999, a Secretarial Assistant 2 from January 1997 to October 1997, a Judiciary Principal Clerk Typist from October 1995 to January 1997, a Clerk Typist from August 1995 to October 1995, an Intermittent Unemployment Insurance Clerk from February 1990 to May 1990, a Senior Clerk Typist from January 1989 to February 1990, a Clerk Transcriber from January 1988 to January 1989, and a Clerk Typist from June 1986 to January 1988. Agency Services credited her with four years and nine months of experience based on six months for her college credits, six months for her provisional experience in the subject title, and three years and nine months for her experience as a Human Resource Consultant 1, but determined that she lacked two years and three months of the required experience.

On appeal, Ms. Palombi presents that when her position as an Executive Secretarial Assistant was moved from the Department of Personnel² to the Department of the Treasury (Treasury), that Treasury did not use the Executive Secretarial Assistant title. Thereafter, from April 2010 to December 2014, she was assigned out-of-title duties as a Claims Investigator 3, which provided her additional professional experience in a personnel program. Further, Dorthea Simmons, Chief Bureau of Risk Management, confirms that the appellant performed the out-of-title duties of a Claims Investigator 3 from April 2010 to March 2014 due to business necessity. Geraldine Boston-Johnson also confirms that the appellant performed these out-of-title duties from March 2014 to December 2014. Moreover, Mirella Bednar, Director, Human Resource Management, requests that the Commission accept Ms. Palombi's out-of-title duties as she represents that the appellant's experience in various personnel programs, including classification and worker's compensation, provide her with the necessary background to perform the duties of the subject title.

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.

Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was credited with having four years and nine months of experience based on her college credits, her provisional experience in the subject title, and her experience as a Human Resource Consultant 1, but she lacked the required relevant experience to establish

² Now known as the Civil Service Commission.

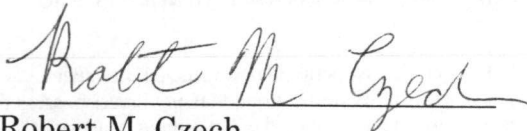
eligibility. Any relevant experience the appellant gained as an Executive Secretarial Assistant would be out-of-title-work. However, Ms. Simmons and Ms. Boston-Johnson have confirmed that the appellant performed the required out-of-duties as an Executive Secretarial Assistant from April 2010 to March 2014 due to business necessity. Ms. Bednar also confirmed that the appellant has the required background for the subject title. Additionally, she continues to serve provisionally in the title under test. Further, the examination situation is not competitive as there is only one eligible on the list. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C. 4A:4-2.6(a)* and accept Ms. Palombi's experience after the closing date, as well as her out-of-title work experience, for eligibility purposes only, and admit her to the subject examination.

ORDER

Therefore, it is ordered that the appeal be granted, and Deborah Palombi'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 16th DAY OF DECEMBER, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
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Attachment

c: Deborah Palombi
Mirella Bednar
Kelly Glenn
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC

SYMBOL: PS0820P	WEIGHT CODE: *
TITLE: PERSONNEL ASSISTANT 2	SALARY: \$56,123.00 - \$79,773.00
ISSUE DATE: May 01, 2015	CLOSING DATE: May 21, 2015
TITLE CODE: 63254/QLR XR5	CLASS CODE: 26
DEPARTMENT: LPA/LAW & PUBLIC SAFETY	
UNIT SCOPE: P860 OAG/Administration	

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):

Personnel Assistant 3

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: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to 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.

Applicants who do not possess the required education may substitute, in addition to the required experience indicated below, applicable experience on a year for year basis, with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Three (3) years of professional experience in a personnel program of a public or private organization.

Note: A Master's degree in business administration, personnel administration, public administration, management, or other related field may be substituted for one (1) year of the indicated experience. You must specify the type of degree(s) you have 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.

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.

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