



STATE OF NEW JERSEY

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

In the Matter of Janet Johnson,
Paralegal Technician 2 (PS5108K),
Office of the Public Guardian

Examination Appeal

CSC Docket No. 2020-369

ISSUED: SEPTEMBER 12, 2019 (SLK)

Janet Johnson appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Paralegal Technician 2 (PS5108K), Office of the Public Guardian.

The education requirements for the subject examination were an Associate's degree as a Legal Assistant or in Paralegal Studies, or an Associate or Bachelor's degree and a Certificate of Proficiency in Paralegal Studies. The experience requirements were two years of experience as a paralegal in a law firm, legal tribunal, or legal department in a public or private entity whose primary function was the research, enactment, enforcement, or litigation of legal matters. The requirements needed to be met by the January 22, 2019 closing date. *See N.J.A.C. 4A:4-2.6(a)*. The appellant was the only employee who applied for the subject examination and the examination was cancelled due to a lack of qualified candidates.

The appellant's application indicated that she possessed an Associate's degree in Paralegal Studies. Additionally, she indicated that she was a Principal Clerk Typist from March 2003 to April 2018 and served in other titles with the State starting in November 1988. Personnel records also indicate that the

appellant was provisionally serving in the subject title¹ from April 2018 to the January 22, 2019 closing date. Agency Services credited the appellant with having met the education requirements, but determined that she lacked two years of the required experience.

The record demonstrates that the appellant performed applicable out-of-title work as a Principal Clerk Typist, as the appellant's superior describes in detail how the appellant has been performing the required duties since 2007 due to business necessity. Moreover, the appellant continues to serve provisionally in the subject title. Accordingly, in this matter, the Civil Service Commission finds good cause under *N.J.A.C. 4A:4-2.6(c)* to accept the appellant's out-of-title work experience for eligibility purposes only, and admit her to the examination.

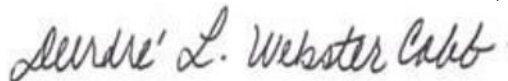
This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, and the cancellation of the examination be rescinded and Janet Johnson'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 10th DAY OF SEPTEMBER, 2019



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

¹ Personnel records indicate that the title series was renumbered effective April 27, 2019 and the subject title is now Paralegal Technician 1.

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: Janet Johnson
Valerie Bayless
Kelly Glenn
Records Center