



STATE OF NEW JERSEY

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

In the Matter of Diane Teel,
Technical Assistant Personnel
(PS2125K), Department of Children
and Families

Examination Appeal

CSC Docket No. 2017-3554

ISSUED: APRIL 2, 2018

(ABR)

Diane Teel appeals the determination of the Division of Agency Services (Agency Services), which found that she did not meet the experience requirement for the promotional examination for Technical Assistant Personnel (PS2125K), Department of Children and Families.

The subject examination was announced with a closing date of January 23, 2017 and was open to applicants who possessed two years of experience in technical, clerical personnel work involving the application of procedural rules, regulations, policies and procedures. The subject eligible list, containing one name, promulgated on May 4, 2017 and expires on May 3, 2020. The subject eligible list was exhausted after the lone eligible was appointed from the subject eligible list, effective September 1, 2017.¹

On her application, the appellant indicated, in relevant part, that she served as a provisional Technical Assistant Personnel from August 2016 to the closing date of the subject examination (January 2017) and as a Personnel Aide 2 from February 2015 to August 2016 with the appointing authority. Agency Services credited the appellant with one year and two months of applicable experience based upon her service as a provisional Technical Assistant Personnel and as a Personnel Aide 2. However, it determined that none of the other experience she listed on her

¹ A subsequent examination (PS3209K) for the subject title was announced for the same unit scope (CF54) on August 1, 2017 with a closing date of August 21, 2017. The resultant eligible list, containing the names of two eligibles, both of whom are non-veterans, promulgated on November 23, 2017. To date, no certifications have been issued from the PS3209K eligible list.

application constituted applicable experience for the subject examination. Consequently, she was deemed ineligible for the subject examination because she lacked an additional 10 months of applicable experience.

On appeal, the appellant argues that she possesses sufficient experience based, in part, upon her service as a provisional Technical Assistant Personnel and as a Personnel Aide 2. The appellant also furnishes a letter of support from Wanda L. Villanueva, Manager 1, Human Resources, with the appointing authority.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides that applicants must meet all requirements specified in a promotional examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation.

Initially, it is noted that Agency Services correctly credited the appellant with one year and ten months of experience, based upon her service as a provisional Technical Assistant Personnel and as a Personnel Aide 2. There is no indication in the record that the appellant's work in any other position constitutes applicable experience for the subject examination. However, a review of the record shows that the appellant continues to serve provisionally in the subject title, thereby providing her with 11 additional months of applicable experience for the subject examination. Additionally, the record indicates that the examination situation is not competitive, as the subject eligible list has been exhausted following the appointment of the sole eligible on the subject eligible list and the eligible list that resulted from the subsequent PS3209K examination announcement is incomplete, as it only contains the names of two eligibles. In this regard, *N.J.A.C.* 4A:1-1.2(c) provides that the Commission may relax a rule for good cause in a particular situation. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a)2 and accept the appellant's provisional experience after the closing date, for eligibility purposes only, and admit her to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted 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 27TH DAY OF MARCH, 2018

Deirdre L. Webster Cobb

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