



**STATE OF NEW JERSEY**

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

In the Matter Dawn M. Daloisio,  
Personnel Assistant 2 (PS4136I),  
Department of Corrections

CSC Docket No. 2017-3457

Examination Appeal

**ISSUED:** May 24, 2018 (BS)

Dawn M. Daloisio appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the promotional examination for Personnel Assistant 2 (PS4136I), Department of Corrections.

The promotional examination at issue was announced with education and experience requirements which had to be met as of the announced December 21, 2016 closing date. Specifically, applicants were required to possess a Bachelor’s degree from an accredited college or university plus three years of professional experience in a personnel program of a public or private organization. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis. Additionally, the promotional announcement also stipulated that a Master’s degree in business administration, personnel administration, public administration, management, or other related field could be substituted for one year of the indicated experience. Records indicate that a promotional eligible list promulgated on April 13, 2017 containing the names of four qualified applicants. It is noted that two appointments have been made from the subject list. As such, the eligible list is now incomplete.

The appellant filed an application on with she indicated that she possessed experience as a provisional Personnel Assistant 2 (5/16 to the closing date), Personnel Assistant 3 (1/16 to 4/16), Personnel Assistant 4 (4/13 to 3/16), Technical Assistant (4/02 to 3/13), Secretarial Assistant 3 (10/01 to 3/02), Personnel Aide (9/99 to 9/01), and Principal and Senior Clerk Typist (1/97 to 9/97). As of the December

21, 2016 closing date, the appellant did not possess the required degree nor any college credits. This meant that she would need a total of seven years of the experience specified above to satisfy the subject requirements per the substitution clause for education. The Division of Agency Services concluded that the appellant possessed three years and four months of applicable experience as a Personnel Assistant 3 and 4. The remainder of the appellant's positions did not involve responsibilities which rose to the level and scope of those required of the subject title. Consequently, the Division of Agency Services found the appellant ineligible for the subject promotional examination.

On appeal, the appellant argues that she satisfies the subject requirements. In support of her appeal, Elizabeth L. Whitlock, Director, Office of Human Resources, Department of Corrections, submitted a letter on the appellant's behalf indicating that, due to budgetary matters and ancillary freezes affecting hiring and promotions, the appellant had been assigned higher-level duties commencing in 2009. Director Whitlock had reviewed the appellant's performance appraisals since 2009 confirming that the appellant performed these duties. Director Whitlock indicated that, if the appellant's appeal is successful, she passes the examination, and her name is added to and reachable on the list, the appointing authority would effect a permanent appointment.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the examination 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 generally may not use experience gained as a result of out-of-title work to satisfy eligibility requirements. *N.J.A.C.* 4A:4-6.3(b) provides that, except for medical or psychological disqualification appeals, the appellant shall have the burden of proof.

In the instant matter, the record demonstrates that, as of the December 21, 2016 closing date, the appellant possessed three years and four months of applicable experience as a Personnel Assistant 3 and 4. Although the appellant claims to have assumed appropriate responsibilities while serving as a Technical Assistant, such responsibilities while serving in this capacity would be considered out-of-title work which generally cannot be used to satisfy experience requirements for promotional examinations announced with open-competitive requirements. However, Elizabeth J. Whitlock, Director, Office of Human Resources, has provided documentation supporting the appellant's claims of performing such out-of-title work responsibilities commencing in 2009 while serving as a Technical Assistant. Acceptance of the appellant's out-of-title work experience would qualify her to sit for the subject promotional examination. The appointing authority also indicates that, if the appellant passes the examination, and her name is added to and reachable on

the promotional list and the appointing authority will effect a permanent appointment. The Commission is mindful that the appellant continues to successfully serve as a provisional Personnel Assistant 2, the subject promotional list is now incomplete. Accordingly, accepting the appellant's out-of-title experience as a Technical Assistant commencing in 2009, for eligibility purposes only, will allow the appellant the opportunity to be considered for permanent appointment to the subject title.

**ORDER**

Therefore, it is ordered that this appeal be granted and the appellant's application be processed as soon as possible.

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 23RD DAY OF MAY, 2018



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Deirdre L. Webster Cobb,  
Chairperson, Civil Service Commission

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