



In the Matter of Kimberlynn Denson,  
Personnel Assistant 4 (PS9995P),  
Juvenile Justice Commission

**STATE OF NEW JERSEY**

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

CSC Docket No. 2015-3193

Examination Appeal

**ISSUED: OCT 21 2018 (CSM)**

Kimberlynn Denson appeals the determination of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Personnel Assistant 4 (PS9995P), Juvenile Justice Commission.

The examination at issue was announced with specific requirements that had to be met as of the closing date of February 21, 2015 (see attached). Two employees applied for the subject examination which resulted in a list of one eligible with an expiration date of May 20, 2018. It is noted that the only eligible was permanently appointed. Thus, the list has been exhausted.

The appellant indicated on her application that she was serving provisionally in the title under test from September 2003 to the closing date, February 2015. A review of the appellant's personnel file indicates that she was provisionally appointed to the title under test in October 2014 and that she was a Head Clerk from February 2003 to October 2014. The appellant did not indicate possession of any college credits on her application. Agency Services credited the appellant with five months of experience based on her provisional service in the title under test, but determined that the remainder of her experience was not applicable. Therefore, she would need an additional four years and seven months of experience to qualify for the examination.

On appeal, the appellant explains that she erroneously used her functional title when she filled out the application for the subject examination instead of listing her permanent title of Head Clerk. The appellant explains that she has performed the required duties in the Human Resources office since June 2006. Mirella Bednar, Director, Human Resource Management, confirms that the appellant was assigned the required duties since June 2006 due to business necessity and the hiring freeze.

*N.J.A.C. 4A:4-2.6(c)* provides that 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, unless good cause is shown for an exception.

### CONCLUSION

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was properly credited with five months of experience based on her provisional service in the title under test and in accordance with the substitution clause for education and would need an additional four years and seven months of experience to qualify for the examination. Primarily performing the duties of a Personnel Assistant 4 would be considered out-of-title work for incumbents in the Head Clerk title. However, the appointing authority has verified that the appellant performed the required out-of-title duties since June 2006. Additionally, the subject list has been exhausted and the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause exists to accept the appellant's out-of-title work experience and admit her to the subject examination.

### ORDER

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

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  
19<sup>TH</sup> DAY OF OCTOBER, 2016

  
Robert M. Czech

Chairperson

Civil Service Commission

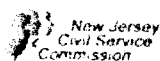
Inquiries  
and  
Correspondence

Director  
Division of Appeals  
and Regulatory Affairs  
Written Record Appeals Unit  
Civil Service Commission  
P.O. Box 312  
Trenton, NJ 08625-0312

Attachment

- c. Kimberlynn Denson  
Mirella Bednar  
Kelly Glenn  
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE  
**PROMOTIONAL ANNOUNCEMENT**



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

SYMBOL: <b>PS9995P</b>	WEIGHT CODE: *
TITLE: <b>PERSONNEL ASSISTANT 4</b>	SALARY: <b>\$42,791.00 - \$60,420.00</b>
ISSUE DATE: <b>February 01, 2015</b>	CLOSING DATE: <b>February 21, 2015</b>
TITLE CODE: <b>63252/NLRXR5</b>	CLASS CODE: <b>20</b>
DEPARTMENT: <b>JJA/LAW &amp; PUBLIC SAFETY</b>	
UNIT SCOPE: <b>P380 Juvenile Justice Commission (Commission-wide)</b>	

Visit [www.state.nj.us/csc](http://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 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 meet the education requirement above may substitute additional experience as indicated below on a year-for-year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: One (1) year of technical 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 the year of experience. You must indicate the details of your Master's degree 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](mailto: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