

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Michele Caroselli, Secretarial Assistant 3, Non-Stenographic (PS3842I), Department of Corrections

Examination Appeal

CSC Docket No. 2018-941

ISSUED: APRIL 2, 2018 (SLK)

Michele Caroselli 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 Secretarial Assistant 3, Non-Stenographic (PS3842I), Department of Corrections.

The examination at issue was announced with specific requirements that had to be met as of the November 21, 2016 closing date. The requirements for the examination were three years of experience in secretarial and administrative clerical work. The appellant was the only employee who applied for the subject examination and she was deemed ineligible. Therefore, the examination was cancelled due to a lack of qualified applicants.

Personnel records indicate that she was provisionally serving in the subject title from June 2016 to the November 21, 2016 closing date, a Technician, MVC from September 2013 to June 2016, and a Technician Trainee, MVC from March 2013 to September 2013. Agency Services credited the appellant with six months of experience based on her provisional service in the subject title, but determined that she lacked two years and six months of experience.

On appeal, the appellant submits a letter from Brian Walsh, Manager 2, Motor Vehicle Commission, which confirms that the appellant performed the required duties while serving as a Technician, MVC and Technician Trainee, MVC due to business necessity.

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 had six months of applicable experience while serving provisionally in the subject title. However, it determined that she lacked two years and six months of the required experience needed to establish eligibility. Any relevant experience the appellant gained as a Technician, MVC or Technician Trainee, MVC would be out-of-titlework. However, Mr. Walsh confirmed that the appellant performed the required duties while in these titles due to business necessity. Additionally, the examination was cancelled due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test. Accordingly, good cause exists to accept the appellant's out-of-title work experience, for eligibility purposes only, and admit her to the examination.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination be rescinded 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

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