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STATE OF NEW JERSEY

In the Matter of Diane Curcio,  
Assistant Municipal Clerk  
(PM0762S), West Milford

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-1059

Examination Appeal

ISSUED: DEC 05 2014 (JET)

Diane Curcio appeals the determination of the Division of Selection Services (Selection Services) that she did not meet the experience requirement for the promotional examination for Assistant Municipal Clerk (PM0762S), West Milford.

The subject examination was announced with a closing date of July 21, 2014. It was open to candidates who possessed five years of clerical experience involving responsibility for maintaining records of business transactions and office activities requiring a knowledge of office systems and procedures, two years of which shall have been in a supervisory capacity. The examination was cancelled on October 24, 2014 since the appellant, the only applicant, was found ineligible for the examination.

A review of the appellant's application and resume reveals that the appellant served as a provisional Assistant Municipal Clerk from May 2014 to July 2014, and as a Keyboarding Clerk 2 from April 2008 to May 2014. Selection Services credited the appellant with three months of applicable general and supervisory experience for her work as an Assistant Municipal Clerk, and with six years and one months of applicable general experience for her service as a Keyboarding Clerk 2. The appellant also listed that she served as a Keyboarding Clerk 1 from April 2007 to April 2008. Selection Services did not find that experience applicable. Accordingly, Selection Services determined that the appellant lacked one year and nine months of applicable supervisory experience.

On appeal, the appellant argues that her experience as an Assistant Municipal Clerk, Keyboarding Clerk 2, and Keyboarding Clerk 1 are sufficient to satisfy the subject requirements. Moreover, the appellant contends that she performed supervisory duties while serving as a Keyboarding Clerk 2. In support of her appeal, the appellant provides a certification from Antoinette Battaglia, Municipal Clerk, Township of West Milford, verifying that the appellant has served in a supervisory capacity in the Clerk's Office for approximately two and a half years.

In addition, official personnel records indicate that the appellant continues to serve provisionally in the subject title.

### 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 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.

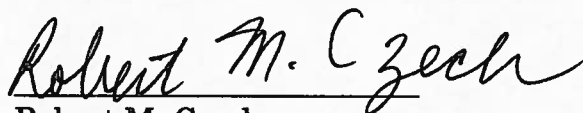
Initially, Selection Services appropriately determined that the appellant was not eligible for the subject examination. Primarily performing supervisory duties would be considered out-of-title work for incumbents in the Keyboarding Clerk 2 title. However, Ms. Battaglia has verified that the appellant performed the required supervisory duties for two and a half years. Further, the appellant continues to serve provisionally in the subject title and the examination was cancelled. Accordingly, good cause exists to accept the appellant's out-of-title supervisory experience and admit her to the subject examination. Admitting the appellant to the subject examination will provide her with the opportunity to obtain permanent status as well as to provide an eligible list to the appointing authority.

### ORDER

Therefore, it is ordered that this 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 3<sup>rd</sup> DAY OF DECEMBER, 2014



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Henry Maurer  
Director  
Division of Appeals  
& Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
PO Box 312  
Trenton, New Jersey 08625-0312

c: Diane Curcio  
Kenneth Babbert  
Kelly Glenn

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