

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Wayne South,
Assistant Engineer In Charge
Maintenance 2 (PS6418K),
Department of Human Services

Examination Appeal

CSC Docket No. 2016-2097

ISSUED: NOV 16 2016 (SLK)

Wayne South appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Assistant Engineer In Charge Maintenance 2 (PS6418K), Department of Human Services, Trenton Psychiatric Hospital.

The examination at issue was announced with specific requirements that had to be met as of the June 22, 2015 closing date (see attached). A total of five employees applied for and one was deemed eligible for the subject examination. Certification PS151770 was issued containing the name of the one eligible, and that individual was appointed to the subject title. The eligible list expires on November 25, 2018.

Mr. South indicated on his application that he was serving provisionally in the subject title from October 2014 to the June 22, 2015 closing date, a Crew Supervisor Masons and Plasterers from May 2005 to October 2014, a Carpenter from December 2003 to May 2005, a Carpenter for Bank Vault Installations from March 1996 to December 2003, a Self-Employed Fabricator from July 1993 to March 1996, a Carpenter/Cabinet Installer for Camelot Kitchens from September 1976 to September 1985, and a Mason Helper from September 1972 to September 1976. Personnel records indicate that he was provisionally serving in the subject title from April 2015 to the June 22, 2015 closing date, a Crew Supervisor Masons and Plasterers from April 2005 to April 2015, and a Carpenter from December 2002 to April 2005. Agency Services credited him with three months of experience based on his provisional service in the subject title, but determined that he lacked two years and nine months of experience.

On appeal, Mr. South indicates that he was provisionally appointed to the subject title starting June 2015 and describes how he performs the required duties in this position. The appellant also represents that prior to working for the State, he had over 20 years of experience reading blue prints and working with architects to develop teller lines and office space for banks, including creating space for utilities. Additionally, he worked in a family business installing and servicing small commercial boilers and serving the heating needs of residential customers.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) requires applicants to possess all the requirements specified in an announcement for a promotional examination by the closing date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

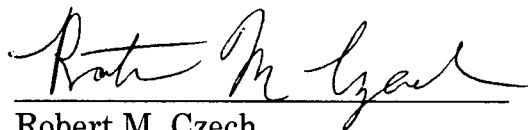
Initially, Agency Services correctly determined that the appellant did not meet the required experience as of the June 22, 2015 closing date as the appellant was not in charge of the operation and maintenance of utilities and maintenance programs as a Crew Supervisor Masons and Plasterers. However, the appellant did indicate that, as a Crew Supervisor Masons and Plasterers, in addition to being a supervisor in charge of masonry and plaster repairs, he provided assistance in the operation and maintenance of utilities and maintenance programs for Trenton Psychiatric Hospital by assisting in the Electric Shop, Plumbing Shop, HVAC, Carpentry, Tin Shops, and IT Departments. Therefore, although Mr. South's experience does not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the totality of his experience, including his provisional service in the subject title and as a Crew Supervisor Masons and Plasterers, as far back as April 2005, warrants his admission to the subject examination. Furthermore, the appellant continues to serve provisionally in the subject title and this is not a competitive situation as there are currently no names on the eligible list. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the totality of Mr. South's experience, for eligibility purposes only, and admit him to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted and Mr. South'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 10th DAY OF NOVEMBER, 2016



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

c: Wayne South
Mary Beth Candelori-Longo
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: PS6418K	WEIGHT CODE: *
TITLE: ASSISTANT ENGINEER IN CHARGE MAINTENANCE 2	SALARY: \$56,408.00 - \$80,019.00
ISSUE DATE: June 01, 2015	CLOSING DATE: June 22, 2015
TITLE CODE: 42424/R4RXR2	CLASS CODE: 22
DEPARTMENT: HSHT/HUMAN SERVICES	
UNIT SCOPE: K375 Trenton Psychiatric Hospital	

**Visit 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:

Experience: Three (3) years of supervisory experience in charge of the operation and maintenance of utilities and maintenance programs of an institution, college or similar multi-building complex.

Note: A Bachelor's degree in Engineering may be substituted for two (2) years of required experience. You must indicate the details of your degree on your application. If you expect to complete additional credits within four months of the closing date, you must also indicate the number of credits and expected completion 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.

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 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