

with one year of experience in is provisional position, and he was found to be lacking four years of qualifying experience.

On appeal, Mr. Popek states that he meets the minimum requirements, and he provides a list of duties that he performed through the years in sequential order. On his behalf, the Director of Operations for Ridgewood Water states that the appellant has worked for over five years performing applicable duties. Additionally, the Business Manager provides additional applicable duties and responsibilities that the appellant was assigned from 2007 forward.

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C. 4A:4-2.6(c)* provides in pertinent part 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

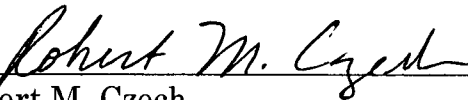
Initially, the appellant was correctly deemed to be ineligible for the subject examination since he lacked the minimum requirements in experience based on his application. However, a representative of the appointing authority and the Business Manager have indicated that Mr. Popek performed applicable out-of-title duties for at least five years. With the acceptance of this out-of-title work, Mr. Popek possesses the required experience per the substitution clause for education. The examination was not competitive, with no admitted candidates, and Mr. Popek remains in his provisional position as a Management Assistant. Thus, based on the documentation submitted and under these circumstances, good cause exists to accept Mr. Popek's out-of-title work experience to satisfy the eligibility requirements for the Management Assistant (PM0072U), examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.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 7th DAY OF DECEMBER, 2016



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