



STATE OF NEW JERSEY

In the Matter of Gary Schadwill,
Supervising Electrician (PM0474S),
Brick Township School District

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-211

Examination Appeal

ISSUED: **OCT 06 2014** (WR)

Gary Schadwill appeals the determination of the Division of Selection Services (Selection Services) which found that he was below the minimum requirements in experience for the promotional examination for Supervising Electrician (PM0474S), Brick Township School District.

The subject examination was announced with a closing date of March 21, 2014 and was open to applicants who possessed five years of electrical work involving a variety of installation, maintenance, inspection, repair, and servicing tasks. The record indicates that the examination was cancelled on July 25, 2014, as the appellant, the only applicant, was found ineligible.

On his application, the appellant listed as having served as an Electrician from April 2013 through the closing date, a Maintenance Repairer from February 2009 to April 2013, and a Custodian from April 2000 to March 2009. Selection Services credited the appellant with one year of experience for his service as an Electrician, but did not credit his experience in the other titles. In particular, it determined that he performed out-of-title work as a Maintenance Repairer.

On appeal, the appellant contends that he has been performing the duties of the subject title for the past three years and has 12 years of relevant experience in total. He also asserts that he possesses a New Jersey Electrical Contractor license, which requires individuals to possess "at least five years of practical hands-on experience working with tools in the installation, alteration or repair of wiring for electric light, heat or power which work shall have been done in compliance with the National Electrical Code." See N.J.A.C. 13:31-2.1. Finally, the appellant submits a letter of support from Dr. Richard Caldes, Educational Specialist, with

the Brick Township Public Schools. Dr. Caldes states that the appellant performed Electrician duties from February 2009 through April 2013.

CONCLUSION

Selection Services determined that the appellant lacked the five years of electrical experience needed for the subject examination. However, the appellant, supported by Mr. Caldes, indicated in his appeal that he has been performing electrical duties since 2009. Therefore, as of the closing date, the appellant had five years of relevant experience.

However, all but one year of the appellant's experience he accumulated before his appointment as an Electrician in April 2013 constitutes out-of-title work. *N.J.A.C. 4A:4-2.6(c)* generally provides that applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements unless good cause exists. In this case, the appellant contends that he performed electrical duties as a Maintenance Repairer and his appeal is supported by his supervisor. Moreover, he possesses a New Jersey Electrical Contractor license, which requires the same amount and a similar type of experience as does the subject examination. Additionally, the appellant was the only applicant for the examination. Good cause therefore exists to accept the appellant's out-of-title work experience and admit him to the examination.

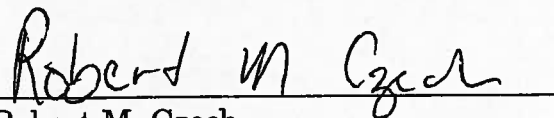
Accordingly, a thorough review of all material presented indicates that he appellant meets the announced requirements for eligibility by the examination closing date. Thus, the appellant has met his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and Gary Schadwill's application be processed for prospective appointment 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 1st DAY OF OCTOBER, 2014



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