

B-25



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Christopher Nelson,
Senior Greenskeeper (M0329S),
Berkeley

Examination Appeal

CSC Docket No. 2015-513

ISSUED: **NOV 21 2014** (SLK)

Christopher Nelson appeals the determination of the Division of Selection Services (Selection Services) that he was below the minimum requirements in experience for the open competitive examination for Senior Greenskeeper (M0329S), Berkeley.

The examination at issue was announced with specific requirements that had to be met as of the June 2, 2014 closing date (see attached). The appellant was the only individual who applied for the subject examination that was cancelled due to a lack of qualified candidates.

On Mr. Nelson's application, he indicated that he was the owner of Up To Par Golf, LLC from April 2010 to the June 2, 2014 closing date, an Assistant Pro Shop Manager from March 2013 to the June 2, 2014 closing date, a part-time Senior Starter/Ranger from April 2012 to March 2013, and a part-time Starter/Ranger/Cashier from May 2011 to March 2012. Personnel records indicate that the appellant was provisionally serving in the title under test from March 2012 to the June 2, 2014 closing date. Mr. Nelson also indicated that he possesses an Associate's degree in Golf Complex Operations and Management and has been certified in the design, maintenance, and management of a golf course. Selection Services determined that none of the appellant's experience was applicable as it commented that he did not list Senior Greenskeeper duties on his application. Therefore, it determined that Mr. Nelson lacked two years of experience.

On appeal, the appellant presents that he has an Associate's degree from the Golf Academy of America (Academy) and that he has been certified in several areas of the golf industry. Mr. Nelson highlights that his education at the Academy included several courses on greenskeeping, including the care and maintenance of all types of grasses used in the golf industry. The appellant indicates that he has been employed by the appointing authority as the Assistant Manager of Cedar Creek Golf Course since 2010 and maintains that in this position he is the overseer of the greenskeepers.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. Under *N.J.A.C.* 4A:4-2.1(g), the Commission can accept clarifying information in eligibility appeals. 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.

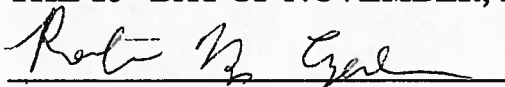
Initially, Selection Services correctly determined that Mr. Nelson was not eligible for the subject examination as he did not indicate on his application that he has two years of experience where his primary focus was in the care and maintenance of a regulation golf course. However, on appeal, the appellant clarifies that as the Assistant Manager of Cedar Creek Golf Course, he is the overseer of the greenskeepers. Additionally, the appellant has been provisionally serving in the title under test since March 2012. Further, Mr. Nelson possesses an Associate's degree in Golf Complex Operations and Management and he has obtained several certifications involving the design, maintenance, and management of golf courses. Consequently, although the appellant's experience does not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the totality of his varied levels of experience as a Senior Greenskeeper and an Assistant Manager as far back as March 2012 along with his education in the design, maintenance, and management of golf courses warrants his admission to the subject examination. Additionally, Mr. Nelson continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applicants. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and accept the totality of appellant's experience and education, including his provisional experience after the closing date, and admit him to the subject examination. Accordingly, admitting Mr. Nelson to the subject examination will provide the appointing authority with an eligible list so that it can make a permanent appointment.

ORDER

Therefore, it is ordered that the appeal be granted, 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 19th DAY OF NOVEMBER, 2014**



**Robert M. Czech
Chairperson
Civil Service Commission**

**Inquiries
and
Correspondence**

**Henry Maurer
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: Christopher Nelson
Christopher Reid
Kelly Glenn
Joseph Gambino**



Job Announcements

Symbol: M0329S Title: **SENIOR GREENSKEEPER**

Issue Date: 05/12/2014

Jurisdiction: BERKELEY

Num. of Positions: 1

Application Fee: \$25.00

Closing Date: 06/02/2014

Salary: \$10.50 Per Hour

Workweek: 25 Hours per week

OPEN TO RESIDENTS OF:

Berkeley Township

REQUIREMENTS:

EXPERIENCE: Two (2) years of experience in the care and maintenance of a regulation golf course.

LICENSE: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle, rather than employee mobility, is necessary to perform the essential duties of the position.

Customer Care and Technical Support: If you are having difficulty submitting your application online, customer care and technical support 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.

IMPORTANT INFORMATION:

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. If the announcement is open to residents of more than one jurisdiction, the eligible list will be ranked according to that residency sequence. Please click here for additional information.
6. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
7. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq) or their claim is approved by DMAVA at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.

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