

November 2012, a Truck Driver from November 2012 to January 2013, and a provisional in the subject dual title from January 2013 to the May 8, 2014 closing date. His experience in all three positions was accepted, and 50% of the time was allotted for each requirement. This amounted to two years, seven months for each. Thus, he was found to have met the one year of lead worker experience, but was lacking five months for each experience requirement.

On appeal, Mr. Calderone states that he possesses the required license and has undergone additional training. He also submits a document from Union Township which indicates that he had been provisionally promoted to the subject title on January 2, 2012. He states that he was hired in May of 2009 and assigned to the Sewer Department, giving him 5 years and 4 months experience and thereby exceeding the 3 years required by this job title. He states that he has performed all aspects of pump station operation, sewer repair, sewer maintenance, regulating and maintaining pumps, valves, adjusting flows, use of equipment such as jet trucks, vacuums, rodders, and all other aspects of wastewater and sewer operations and maintenance. He indicates that he was promoted to Supervising Pumping Station Operator/Sewer Repairer Supervisor on January 2, 2012, and contends that this gives him 2 years and 7 months in a lead worker/supervising capacity, exceeding the requirement for this position.

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that the Civil Service Commission may relax a rule for good cause in a particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

CONCLUSION

Initially, based on a review of the appellant's application, DSS correctly found that he not possess the required experience as of the closing date. This is a dual title, that is, a title that combines two separate titles into one classification. Applicants for examinations for dual titles have to meet the requirements for both titles. *See, e.g., In the Matter of John R. Bersey* (MSB, decided February 26, 2003). Mr. Calderone was given credit for all of the experience which he listed on his application, even though he did not list his Truck Driver and Laborer 1 titles separately. Even so, he was found to be lacking five months of applicable experience *for each requirement*, for a total of ten months. Accordingly, the appellant was found to lack five months of each type of experience as of the closing date.

However, the Commission notes that the appellant continues to successfully serve as a provisional in the subject position, and has gained an additional five months of experience after the closing date. Moreover, since he was the sole

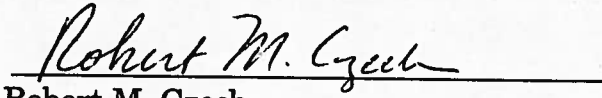
applicant, this is not a competitive situation. Under these circumstances, the Commission is satisfied that the appellant is qualified for the position and should be found eligible.

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 19th DAY OF NOVEMBER, 2014



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