

B-27



STATE OF NEW JERSEY

In the Matter of Jose Sanchez,
Sewer Repair Supervisor (PM0741S),
Trenton

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-1070

Examination Appeal

ISSUED: DEC 19 2014 (JET)

Jose Sanchez appeals the determination of the Division of Selection Services (Selection Services) that he did not meet the experience requirement for the promotional examination for Sewer Repair Supervisor (PM0741S), Trenton.

The promotional examination was announced with specific requirements which had to be satisfied by the June 21, 2014 closing date (see attached). The examination was cancelled on June 21, 2014, as the appellant, the only applicant, was found ineligible for the examination.

The appellant indicated on his application that he served as a provisional Sewer Repair Supervisor from March 2014 to the closing date. Selection Services credited him with four months of applicable general and lead worker experience for that work. The appellant also listed that he served as a Sewer Maintenance Inspector/Equipment Operator from July 2005 to March 2014, and as an Equipment Operator from July 2001 to July 2005. Selection Services credited him with two years and three months of applicable general experience for his work as a Sewer Maintenance Inspector/Equipment Operator, but it did not find any of his other experience applicable. Accordingly, Selection Services determined that the appellant lacked five months of applicable general experience and eight months of lead worker experience.

On appeal, the appellant argues, among other things, that his experience should be sufficient to qualify him for the examination. Specifically, the appellant asserts that his duties as an Equipment Operator included supervising three laborers and three labor repairers. Further, his duties included maintenance of mobile electric generators, compressor systems, pneumatic jack hammers, pneumatic tampers, concreted mixers, and confined space entry systems. The appellant adds that his duties as a Sewer Maintenance Repairer/Equipment Operator included operating a sewer camera truck. Moreover, the appellant maintains that he is currently performing applicable duties while serving provisionally in the title under test.

Official personnel records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

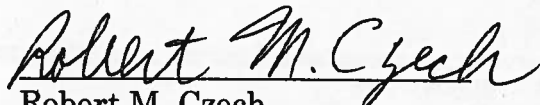
N.J.A.C. 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C. 4A:1-1.2(c)* provides that a rule may be relaxed for good cause in a particular situation. Initially, Selection Services correctly credited the appellant with four months of applicable general and lead worker experience for his provisional work in the subject title, and with two years and three months of applicable general experience for his work as a Sewer Maintenance Repairer/Equipment Operator. Although the appellant's experience does not precisely mirror the requirements contained in the announcement, the Civil Service Commission is satisfied that the totality of his experience as far back as 2005 as Sewer Maintenance Inspector/Equipment Operator provided him with sufficient experience to qualify for the subject examination. In this regard, it is noted that the examination was cancelled due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause exists to accept the totality of the appellant's experience, as well as his provisional experience in the subject title after the announced closing date, and to admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded 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 17th DAY OF DECEMBER, 2014



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals
& Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
PO Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Jose Sanchez
Terry K. McEwen
Kelly Glenn

NEW JERSEY CIVIL SERVICE COMMISSION
COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

SYMBOL: PM0741S	WEIGHT CODE: *
TITLE: SEWER REPAIRER SUPERVISOR	SALARY: \$36,720.00 - \$57,486.00
ISSUE DATE: June 01, 2014	CLOSING DATE: June 21, 2014
TITLE CODE: 06702/ FBRLR1	JURISDICTION CODE: T11110008
JURISDICTION: TRENTON	
DEPARTMENT: PUBLIC WORKS	

RETURN COMPLETED APPLICATIONS TO: **ONLY ON LINE APPLICATIONS
WILL BE ACCEPTED
FOR THIS ANNOUNCEMENT**

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date and are currently serving in the following title(s):

Sewer Repairer 2 03585

Or 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 experience in sewer installation or repair work and/or in varied plumbing work and/or in the operation and maintenance of sewer maintenance equipment, one (1) year of which shall have been in a lead worker capacity.

License: Appointees may 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.

Appointees may be required to possess a valid Commercial Driver's License (CDL), Class B, the class and type of vehicle being operated. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
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-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, 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.** (i.e. Police, Fire, Corrections and Sheriff).
6. 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@esc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so **PLEASE FILE EARLY.**

DPF-256A * Revised 03/09