



STATE OF NEW JERSEY

In the Matter of Daniel Vogdes,
Senior Repairer (PS6888I),
Department of Corrections

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-2927

Examination Appeal

ISSUED: **AUG 01 2014** (JET)

Daniel Vogdes appeals the determination of the Division of Selection Services (Selection Services) that he did not meet the experience requirement for the promotional examination for Senior Repairer (PS6888I), Department of Corrections.

The promotional examination was announced with specific requirements that had to be met as of the January 21, 2014 closing date (see attached). The examination was cancelled on May 22, 2014 since the appellant, the only applicant, was found ineligible for the examination.

A review of the appellant's application reveals that he served as a provisional Senior Repairer from November 2013 to the closing date of the application, and as a Repairer from June 2012 to October 2013. Selection Services credited the appellant with one year and eight months of experience for that work. Accordingly, Selection Services determined that the appellant lacked four months of applicable experience in work involving the inspection, repair and general maintenance of household, office and other equipment, fixtures, fittings, appliances, machinery, furnishings, and buildings.

On appeal, the appellant argues, among other things, that he is qualified for the examination, and that he continues to serve as a provisional Senior Repairer.

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) provides that applicants shall meet all requirements specified in the 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.

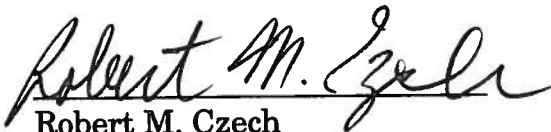
Initially, it is noted that Selection Services correctly determined that the appellant was ineligible for the subject examination since he lacked four months of applicable experience. However, the record reflects that the appellant continues to serve provisionally in the title of Senior Repairer after the closing date and the examination was cancelled due to lack of qualified eligibles. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the totality of the appellant's experience, including his provisional experience after the closing date, for eligibility purposes only, and 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 30th DAY OF JULY, 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: Daniel Vogdes
James Mulholland
Dan Hill
Joseph Gambino**

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT

[Click here to file Online](#) Print
\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC

SYMBOL: PS6888I

WEIGHT CODE: *

TITLE: SENIOR REPAIRER

SALARY: \$36,710.00 - \$51,487.00

ISSUE DATE: January 01, 2014

CLOSING DATE: January 21, 2014

TITLE CODE: 41243/ABRXR2

CLASS CODE: 13

DEPARTMENT: COIB/CORRECTIONS

UNIT SCOPE: I360 Albert C. Wagner Youth Correctional Facility (Bordentown)

APPLICATIONS MAY BE OBTAINED
FROM AND MUST BE RETURNED TO:

**ONLY ON LINE APPLICATIONS
WILL BE ACCEPTED
FOR THIS ANNOUNCEMENT**

Open to employees in the non-competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s), and meet the requirements listed below:

Repairer

Experience: Two (2) years of experience in work involving the inspection, repair and general maintenance of household, office and other equipment, fixtures, fittings, appliances, machinery, furnishings, and buildings.

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.

Note: Appointees may be required to possess a valid Commercial Driver's License (CDL) and applicable endorsements for the class and type of vehicle being operated. Proof of the license must be submitted to the appointing authority prior to appointment.

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.

NOTE: As of December 1, 2013, applications must be completed and submitted by 4:00 pm on the closing date.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
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- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, 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.
6. SAVE ON POSTAGE! GO PAPERLESS! RECEIVE IMMEDIATE CONFIRMATION THAT YOUR APPLICATION HAS BEEN RECEIVED! You can now file an application for this examination online. Visit the Civil Service Commission website at <http://info.csc.state.nj.us/epoa>. Select the promotional announcement and click on the link, "Click Here to file Online" at the top of the announcement. You can now complete and submit your application and payment online to the Civil Service Commission and you will receive an immediate receipt confirmation!
7. SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.

DPF-256A * Revised 03/09