



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Michael Amabile and
Kim Riscart-Cardella, Assistant
Director of Maintenance Services
(PC0010S), Hudson County

Examination Appeals

CSC Docket Nos. 2014-2957 and
2014-3015

ISSUED: **AUG 15 2014** (SLK)

Michael Amabile and Kim Riscart-Cardella appeal the determinations of the Division of Selection Services (Selection Services) that they did not meet the experience requirements for the promotional examination for Assistant Director of Maintenance Services (PC0010S), Hudson County. These appeals have been consolidated due to common issues presented.

The examination at issue was announced with specific requirements that had to be met as of the January 21, 2014 closing date (see attached). The two appellants were the only two employees who applied for the subject examination and the examination was cancelled due to a lack of qualified applicants.

On Mr. Amabile's application, he indicated that he was provisionally serving in the title under test from May 2013 to the January 21, 2014 closing date, a Maintenance Supervisor from October 2010 to May 2013, and a Plumber from December 1997 to October 2010. A review of his personnel records indicates that he was provisionally serving in the title under test from May 2013 to the January 21, 2014 closing date and a Plumber from October 1998 to May 2013. Selection Services credited him with nine months of experience based on his provisional experience in the subject title but determined that the remainder of his supervisory experience was not applicable as it was out-of-title. Therefore, Selection Services determined that the appellant was three years and three months short of the required experience to establish eligibility for the title under test.

On Ms. Riscart-Cardella's application, she indicated that she was a Unit Chief from January 2006 to the January 21, 2014 closing date, a Monitor from August 2003 to January 2006, a Project Administrator for Hart Crowser, Inc. from April 2001 to May 2003, a Planning Aide/Management Specialist for Bayonne from January 1997 to February 1999, and an Administrative Assistant-Intermodal Coordinator-Safety Director for OOCL from January 1988 to November 1997. A review of her personnel records indicates that she was a Program Monitor from October 2006 to the January 21, 2014 closing date and a Monitor from August 2003 to October 2006. Selection Services determined that she did not possess any applicable experience involving the repair and construction of buildings and therefore she lacked four years of the required supervisory experience.

On appeal, Mr. Amabile states that as a Lead Plumber for the appointing authority for 11 months, he supervised a staff of three who were responsible for all plumbing repairs in the Hudson County Correctional Facility, which houses approximately 1600 detainees. In this regard, he states that he assigned work to staff and reviewed completed work orders. As the Supervisor of Maintenance for 32 months, he supervised a staff of 17 which included Plumbers, Carpenters, Locksmiths, Electricians and Maintenance Repairers. The appellant's responsibilities included reviewing all completed work orders, approving employee vacation requests, approving employee schedules, and performing monthly employee reviews which included counseling them on improvements. While serving provisionally in the subject title for nine months, he supervised a staff of 20 which included Plumbers, Carpenters, Locksmiths, Electricians, and Maintenance Repairers. Therefore, the appellant argues that he has 53 months of qualifying experience.

Ms. Riscart-Cardella states that as a Monitor/Acting Director Roads and Public Property for two years and four months, she was the full-time manager and supervisor of trades and maintenance staffing for eight county facilities. She indicates that her responsibilities included budgeting, identifying repair needs, supervising the requisition of materials and supplies, reviewing and approving completed repair assignments, scheduling fleet and heavy equipment repair and maintenance, facility compliance, establishing work schedules, implementation/scheduling of projects, specifications for new equipment, employee discipline, training, and conformance to union contracts, and coordinating with outside agencies for specific projects. As the Unit Chief for eight years and four months, she was responsible for facilities management, including maintenance, repair, budgeting, planning, supervision and inspection of trade assignments for compliance and completeness. Further, as the Project Administrator for Hart Crowser for two years, the appellant maintains that she was accountable for scheduling, budget control, safety requirements, preliminary design, final plan review, modifications, and subcontractor management.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception. *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.

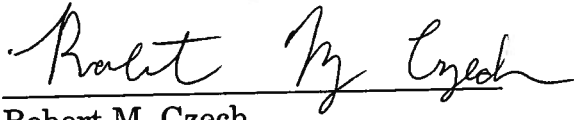
Initially, Selection Services correctly determined that the appellants did not meet the required experience as of the January 21, 2014 closing date. Although supervisory duties are out-of-title work for Plumbers, it is noted that the job specification permits incumbents to take the lead over and give assignments to helpers. Thus, while Mr. Amabile'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 provisional Assistant Director of Maintenance Services, Maintenance Supervisor and his experience performing lead worker duties as a Plumber as far back as November 2009 warrants his admission to the subject examination. Additionally, he continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applicants. With respect to Ms. Riscart-Cardella, the Commission is satisfied that the totality of her varied levels of experience as Program Monitor/Unit Chief, Monitor, and Project Administrator as far back as April 2001 warrants her admission to the subject examination. Therefore, 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 appellants' experience and admit them to the subject examination. Accordingly, admitting the appellants 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 these appeals be granted, the examination cancellation be rescinded, and the appellants' applications 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 13th DAY OF AUGUST, 2014



Robert M. Czech
Chairperson
Civil Service Commission

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and
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Attachment

c: Michael Amabile
Kim Riscart-Cardella
Elinor Gibney
Dan Hill
Joseph Gambino

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: PC0010S	WEIGHT CODE: *
TITLE: ASSISTANT DIRECTOR OF MAINTENANCE SERVICES	SALARY: \$28,639.00 - \$81,346.00
ISSUE DATE: January 01, 2014	CLOSING DATE: January 21, 2014
TITLE CODE: 00488@/ A4RJR2	JURISDICTION CODE: N09000033
JURISDICTION: HUDSON COUNTY	
DEPARTMENT: ROADS AND PUBLIC PROPERTY	

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 in any competitive title and meet the requirements listed below:

Experience: Four (4) years of supervisory experience in work involving the repair and construction of buildings at a large facility.

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. 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 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. SAVE ON POSTAGE! GO PAPERLESS! RECEIVE IMMEDIATE CONFIRMATION THAT YOUR APPLICATION HAS BEEN RECEIVED! You can now file an application for this examination on-line. 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 on-line to the Civil Service Commission and you will receive an immediate receipt confirmation!

DPF-256A * Revised 03/09

