



STATE OF NEW JERSEY

In the Matter of Antonio Cotroneo,
Mechanic, Non-Automotive
(PS6896P), Department of Law and
Public Safety

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-2828

Examination Appeal

ISSUED: SEP 05 2014 (JET)

Antonio Cotroneo appeals the determination of the Division of Selection Services (Selection Services) that he did not meet the experience requirement for the promotional examination for Mechanic, Non-Automotive (PS6896P), Department of Law and Public Safety.

The promotional examination was announced with specific requirements which had to be satisfied by the January 21, 2014 closing date (see attached).

The appellant indicated on his application that he served provisionally in the title under test from January 2013 to the closing date, January 2014, and from May 2003 to January 2013 he was a Senior Building Maintenance Worker. He described his duties as a Senior Building Maintenance Worker as oiling and greasing fans, compressors, and motors; firing boilers and chillers; inspecting backup generators; replacing mechanical equipment, compressors, fans; maintaining equipment; ordering office supplies; removing snow; responding to alarms; coordinating with contractors; and assisting contractors with tasks. Selection Services credited the appellant with one year and one month of experience for his provisional service in the title under test but determined that the remainder of his experience was not applicable as it constituted out-of-title work.

On appeal, the appellant argues, among other things, that he is currently performing the duties of the title under test and his experience as a Senior Building Maintenance Worker should be sufficient to qualify him for the examination.

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: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.

Initially, it is noted that Selection Services correctly determined that the appellant was ineligible for the subject examination. Primarily performing the duties required to establish eligibility for the title under test would be considered out-of-title work for incumbents in the Senior Building Maintenance Worker title. Therefore, Selection Services did not credit the appellant with any applicable experience for his work as a Senior Building Maintenance Worker. However, the job specification for Senior Building Maintenance Worker indicates that an incumbent performs a wide variety of general maintenance duties. In this regard, an incumbent may perform repair and maintenance of electrical motors and motorized machines or in the general maintenance of a building doing tasks involving inspection, cleaning, and maintenance of furniture.

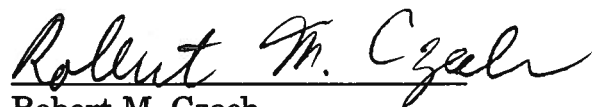
In this case, the job specification for Senior Building Maintenance Worker indicates that an incumbent may oil, grease, and do other work in the maintenance of fans, vibrators, and deep therapy, infrared, and ultraviolet lamps. Additionally, incumbents may be assigned to work with Mechanics and make minor repairs. Therefore, although all of the duties of a Senior Building Maintenance Worker do not precisely mirror those required to establish eligibility for Mechanic, Non-Automotive, the Commission is satisfied that the totality of his experience performing in-title light maintenance and repair work as a Senior Building Maintenance Worker since 2003 warrant his admission to the subject examination. Additionally, the examination was cancelled due to a lack of qualified applications and the appellant continues to serve provisionally in the title under test. 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 3rd DAY OF SEPTEMBER, 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: Antonio Cotroneo
Mirella Bednar
Dan Hill
Joseph Gambino**

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT



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

SYMBOL: **PS6896P**

WEIGHT CODE: *

TITLE: **MECHANIC NON-AUTOMOTIVE**

SALARY: **\$40,075.00 - \$56,379.00**

ISSUE DATE: **January 01, 2014**

CLOSING DATE: **January 21, 2014**

TITLE CODE: **43732/ACR XR2**

CLASS CODE: **15**

DEPARTMENT: **LPY/LAW & PUBLIC SAFETY**

UNIT SCOPE: **P330 Consumer Affairs/Office of Weights and Measures**

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:

Senior Building Maintenance Worker

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 who meet the requirements listed:

Experience: Three (3) years of experience in the maintenance and repair of non-automotive equipment which includes the repair and maintenance of electrical motors and motorized machines and equipment.

License: Appointees must possess a valid driver's license issued by the New Jersey Division of Motor Vehicles for certain positions. 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