

B-47



STATE OF NEW JERSEY

In the Matter of Gary French,
Building Management Services
Specialist 1 (PS0577K), Department
of Children and Families

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-2246

Examination Appeal

ISSUED: JUL 17 2014 (SLK)

Gary French appeals the determination of the Division of Selection Services (Selection Services) which found that he was below the minimum requirements in experience for the promotional examination for Building Management Services Specialist 1 (PS0577K), Department of Children and Families.

The examination at issue was announced with specific requirements that had to be met as of the August 21, 2013 closing date (see attached). Four individuals applied for the subject examination and two were admitted. The test was administered on March 11, 2014 that resulted in a list of one eligible with an expiration date of May 7, 2016.

On Mr. French's application, he indicated that he was a Regional Maintenance Service Specialist from March 2013 to the August 21, 2013 closing date. Personnel records indicate that he was provisionally serving in the subject title from March 2013 to the August 21, 2013 closing date, a Family Service Specialist 2 from March 2008 to February 2013, and a Family Service Specialist Trainee from February 2007 to March 2008. He also indicated that he possessed a Master's degree. Selection Services determined that he was below the minimum requirements in experience.

On appeal, the appellant presents that he possesses a Bachelor's degree and a Master's degree in Administration. He also claims that he indicated on his original application that he was an Assistant Manager from 1992-1996 and a Manager from 1996-2001 for the Philadelphia Housing Authority. He states that his responsibilities included oversight of 368 residential units and that he supervised a

staff of 15. He highlights that he was required to prepare and implement an annual budget, develop and institute both maintenance and infrastructure programs for the residents and the Housing Authority physical plant structures. Additionally, he notes that he would contract and monitor vendor performance at the Housing Authority and assign staff as appropriate to resolve maintenance and structural issues with the housing developments. The appellant also highlights his provisional experience in the title under test. Therefore, he argues that he has over nine years of experience in building management, maintenance, contracting, and the delivery of services to large building complexes.

CONCLUSION

N.J.A.C. 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Selection Services correctly determined that the appellant was not eligible for the subject examination as he only listed his provisional experience on his application and did not list any of his prior experience with the Philadelphia Housing Authority. On appeal, the appellant indicates "as stated on my original application," he worked for the Philadelphia Housing Authority as an Assistant Manager from 1992 to 1996 and as a Manager from 1996 to 2001. He also submits a cover letter that he submitted to the appointing authority dated January 8, 2013 and his resume. The Civil Service Commission notes that Selection Services has confirmed that it does not have a record of receiving his resume or other information with his application that indicated that he had worked for the Philadelphia Housing Authority. The importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Selection Services can make the initial determination whether to admit or reject an applicant. Selection Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner.

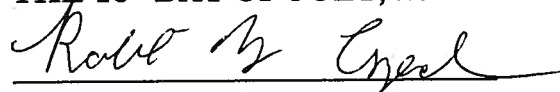
Although *N.J.A.C.* 4A:4-2.1(f) proscribes the amendment of an application after the closing date, the Commission notes several circumstances present that provide good cause to permit the appellant to amend his application in this particular matter. In this regard, the Commission is satisfied that his building management experience from 1992 to 2001 warrants his admission to the subject examination. Additionally, the list is incomplete due to a lack of eligible applicants and the appellant continues to serve provisionally in the subject title. Accordingly, good cause is established to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and admit the appellant to the subject examination. It is noted that this determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that this appeal be granted and Gary French be scheduled for a make-up examination as soon as possible. If the appellant achieves a passing score, his name should be added to the eligible list 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 16th DAY OF JULY, 2014



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and
Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Gary French
Linda Dobron
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: **PS0577K**

WEIGHT CODE: *

TITLE: **BUILDING MANAGEMENT SERVICES SPECIALIST 1**

SALARY: **\$66,550.00 - \$94,757.00**

ISSUE DATE: **August 01, 2013**

CLOSING DATE: **August 21, 2013**

TITLE CODE: **52578/TPRXR9**

CLASS CODE: **27**

DEPARTMENT: **CFA/CHILDREN AND FAMILIES**

UNIT SCOPE: **CF55 Facilities**

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 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):

Building Management Services Specialist 2

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:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute experience as indicated below on a year for year basis.

Experience: Four (4) years of experience in the coordination and/or implementation of building management programs including building/property operations analysis, program development, organizational and fiscal planning, and cost efficiency programs, special building service programs or a related field, one (1) year of which shall have included supervisory responsibilities.

Note: A Master's degree in Public Administration, Business Administration or closely related field may be substituted for one (1) year of the nonsupervisory experience. You must indicate the details of your Master's degree on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

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: This announcement may be tested via the Supervisory Test Battery, a computer-administered exam. For information regarding the Supervisory Test Battery, please refer to our website <http://www.state.nj.us/csc/seekers/about/steps/step7.html>.

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 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 On-Line" 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!**
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