

applicable. Consequently, Selection Services determined that Mr. Lesky was lacking one year of the required experience.

On appeal, Mr. Lesky presents that he was previously found to be eligible for a similar, though higher level communication technician position, Communication Systems Technician 1 (S0152R), and that he submitted the same application and information for the subject examination. As such, he questions why he was deemed ineligible for the subject examination when he now has more experience. The appellant also highlights that the Communications Technician title does not require a college degree and he has a Bachelor's degree in Electrical Engineering and thirty years of experience. Additionally, he indicates that he holds a current license from the Federal Communications Commission as an amateur radio operator that was issued in 1991. He states that he has worked for two counties as a Radio Communications Technician and been employed in the subject title for Monmouth County for over a year. Further, he explains that he performed communication technician work for Matrix7 Corp for over 20 years and he also worked for Motorola, the world's largest communications company, for many years utilizing his technician skills. Moreover, Monmouth County authorized him to attend 9 weeks of training, which cost thousands of dollars, to train on its new communication system which indicates that the appointing authority believes that he possesses the necessary experience. The appellant notes that in his position with Motorola Communication Test Equipment, he designed and developed equipment used by communication technicians. He asserts that his background, experience, and skills are well beyond sufficient for this position.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. Further, *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.

In this case, while the appellant did not specifically indicate on his original application that he performed work involving installing, operating, and repairing radio communications equipment during his private sector employment, he should be admitted to the subject examination. The appellant's application and resume demonstrate that he has installed, operated, and provided support for various electronic and communications equipment for over 20 years. For example, he indicated on his resume that he was an expert in cellular, PCS and two-way communications systems, including analog and trunking technologies, when he worked for Motorola Communications Test Equipment. The appellant clarified in his appeal submission that he designed and developed equipment used by Communications Technicians in his position with Motorola Communications Test

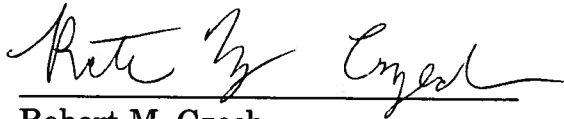
Equipment. In other words, prior to his provisional appointment in the title under test and his part-time employment with Somerset County, the appellant has performed the duties consistent with those of a Communications Technician. Although the appellant's experience does not precisely mirror that contained in the announcement, the Commission finds that the totality of his experience warrants his admission to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be processed for current employment opportunities.

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: Joe Lesky
Frank Tragno, Jr.
Dan Hill
Joseph Gambino



Job Announcements

Symbol: C0946R Title: **COMMUNICATIONS TECHNICIAN**

Issue Date: 10/15/2013

Closing Date: 11/05/2013

Jurisdiction: MONMOUTH COUNTY

Salary: \$40,203.00 - \$64,325.00 Per Year

Num. of Positions: 1

Workweek: 40 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

1) Monmouth County; 2) Burlington County, Mercer County, Middlesex County, Ocean County; 3) New Jersey

REQUIREMENTS:

EDUCATION: Completion of a vocational, technical or specialized training program in electronics and radio communications. Please submit proof of completion of program with your application. Failure to do so will result in ineligibility.

EXPERIENCE: Two (2) years of experience in work involving installing, operating and repairing radio communications equipment.

SUBSTITUTION: Applicants who do not possess the required education may substitute one (1) year of additional experience as indicated.

LICENSES: Appointee will be required to possess a driver's license valid in New Jersey. Please submit a copy of your license with your application.

IMPORTANT INFORMATION:

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. If the announcement is open to residents of more than one jurisdiction, the eligible list will be ranked according to that residency sequence. Please click here for additional information.
6. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
7. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq) or their claim is approved by DMAVA at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.

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