

B-14

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of William Stadnick III,
Deputy Municipal Emergency
Management Coordinator (M0688S),
Millville

Examination Appeal

CSC Docket No. 2015-2095

ISSUED: **MAY 21 2015** (SLK)

William Stadnick III appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the open competitive examination for Deputy Municipal Emergency Management Coordinator (M0688S), Millville.

The examination at issue was announced with specific requirements that had to be met as of the September 2, 2014 closing date (see attached). A total of three individuals applied for the subject examination and none were found eligible. As such, the examination was cancelled due to a lack of qualified candidates.

Mr. Stadnick indicated on his application that he was serving part-time provisionally in the subject title from July 2014 to the September 2, 2014 closing date, a Police Officer from January 2008 to the September 2, 2014 closing date, and a part-time Volunteer Fire Fighter from October 2003 to November 2013. Agency Services credited him with one month of experience based on his provisional service in the subject title, but determined that his other experience was not applicable. Therefore, it determined that he lacked one year and 11 months of experience.

On appeal, Mr. Stadnick indicates that he served in the fire department for 10 years including five years as a Lieutenant. The appellant provides that as a Lieutenant he managed crews at fires and planned and executed training sessions to ensure that a Fire Fighter received the proper training and that all safety precautions were taken during exercises. The appellant additionally states that he has served as a Police Officer since 2008. Mr. Stadnick presents while serving provisionally in the subject title, he works with the Emergency Management Coordinator to ensure that areas of concern are mitigated. Further, in this position,

he maintains that he has responded to several emergencies to assist other agencies to make sure that all parties are safe and the hazard was eliminated, helped displaced citizens, and participated in pre-disaster planning meetings. Mr. Stadwick also questions how an applicant can possess two years of the required experience without first being in the position as this is an entry level 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.

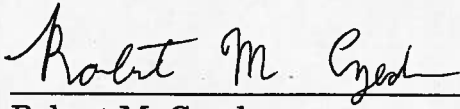
Initially, Agency Services correctly determined that the appellant did not meet the required experience as of the September 2, 2014 closing date as the primary focus of his duties as a Police Officer and a Fire Fighter are not in the planning, development, and administration of emergency response activities. Therefore, his provisional service in the subject title is the only experience that meets the requirements. However, as a Police Officer and a Fire Fighter, the appellant is involved in the planning and executing of emergency response activity. Further, as a Lieutenant in the fire department, the appellant explains that he planned and executed emergency response training and that he managed a crew during fires. Therefore, although Mr. Stadnick's experience does not precisely mirror the requirements contained in the announcement, the Commission is satisfied that the totality of his experience as a provisional in the subject title, a Police Officer, and a Fire Fighter as far back as October 2003, warrants his admission to the subject examination. Furthermore, this is not a competitive situation as the examination was cancelled since no candidates were determined eligible. Additionally, the appellant continues to serve provisionally in the subject title. Moreover, the Commission notes that this is an entry-level, five hour per week position and therefore it will be a challenge for the appointing authority to find any candidates who meet the subject announcement's requirements. Consequently, under these unique circumstances, good cause exists to relax the provisions of *N.J.A.C. 4A:4-2.3(b)2* and accept the totality of Mr. Stadnick's experience, for eligibility purposes only, and admit him to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and Mr. Stadnick'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 20th DAY OF MAY, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

c: William Stadnick III
Susan Robostello
Kelly Glenn
Joseph Gambino



Job Announcements

Symbol: M0688S Title: **DEPUTY MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR**
Issue Date: 08/12/2014 Closing Date: 09/02/2014
Jurisdiction: MILLVILLE Salary: \$2,361.25 Per Year
Num. of Positions: 1 Workweek: 5 Hours per week
Application Fee: \$25.00

OPEN TO RESIDENTS OF:
Millville City

REQUIREMENTS:

EXPERIENCE: Two (2) years of experience in the planning, development, and administration of emergency response activities such as those provided by police or fire, or rescue, medical, or emergency management units either in the public or private sector or in the military service.

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 essential duties of the position.

Customer Care and Technical Support: If you are having difficulty submitting your application online, customer care and technical support are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

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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