



excavators and articulating loaders. Therefore, the appellant maintains that he has more than one year of the required experience.

### 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.

Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. As of the closing date, the appellant was credited with three months of experience based on his provisional service in the title under test and would need an additional nine months of experience to qualify for the subject examination. The appellant was not credited for his experience as a Laborer 1 because he did not indicate the performance of the required duties in this position on his original application. The importance of submitting a properly completed application that includes a listing of all duties is essential since a complete application provides the only reliable barometer by which this agency can make the initial determination whether to admit or reject an applicant as no other tool is available to rely on in order to make this important initial assessment in an expeditious, fair, and efficient manner. However, in accordance with *N.J.A.C. 4A:4-2.1(g)*, the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. Information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application.

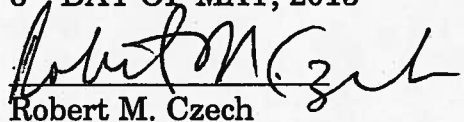
In this case, the appellant explained in his appeal submissions that he began a training program in the operation of various pieces of heavy equipment in January 2013 and that within six months was assigned as the team leader to go out on various jobs that required him to operate various pieces of construction and maintenance equipment. Although the appellant did not list that information on his original application, the Commission is satisfied that the totality of his experience performing those duties since January 2013, initially as a Laborer 1 and then as a provisional in the title under test, warrants his admission to the subject examination. Additionally, the appellant continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applicants. Accordingly, the Commission accepts the appellant's clarification of his experience since January 2013, for eligibility purposes, and admits him to the examination.

**ORDER**

Therefore, it is ordered that this appeal be granted, the examination cancellation 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  
6<sup>TH</sup> DAY OF MAY, 2015



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Henry Maurer  
Director  
Division of Appeals  
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Written Record Appeals Unit  
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P.O. Box 312  
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**Attachment**

- c. Todd Tracy
- Anthony J. DeNova
- Kelly Glenn
- 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: PC1229S	WEIGHT CODE: *
TITLE: EQUIPMENT OPERATOR	SALARY: \$39,046.00 - \$49,912.00
ISSUE DATE: September 01, 2014	CLOSING DATE: September 22, 2014
TITLE CODE: 01746/14RRR2	JURISDICTION CODE: N1600055
JURISDICTION: PASSAIC COUNTY	
DEPARTMENT: PARKS AND RECREATION	

**ONLY ON LINE APPLICATIONS  
 WILL BE ACCEPTED  
 FOR THIS ANNOUNCEMENT**

**Open to employees in the non-competitive division who have an aggregate of one year of continuous permanent service as of the closing date, are currently serving in the following title(s) and meet the requirements listed below:**

**Laborer 1**

**Or to all employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date, and meet the requirements listed below:**

Experience: One (1) year of experience in the operation and maintenance of construction and maintenance equipment.

Note: Appropriate formal training in the operation of maintenance/construction equipment may be substituted for the indicated experience. You must indicate the details of the training program on your application. Failure to do so will result in rejection from the examination process.

License: Appointees must possess a driver's license valid in New Jersey. Appointees may also be required to possess a valid Commercial Driver's License (CDL), Class A, for the class and type of vehicle being operated.

Note: 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.

Special Note: If you list experience in titles other than equipment operator titles, you MUST indicate the percentage (%) of time spent operating equipment for each position listed or the experience will not be evaluated for credit.

**NOTE: All requirements must be met as of the above closing date, however applications will be accepted up to and including September 24, 2014.**

**SPECIAL NOTE: IF YOU FILED AN APPLICATION FOR THIS ANNOUNCEMENT DURING THE ORIGINAL POSTING PERIOD YOU DO NOT HAVE TO FILE AGAIN.**

**Amended 9/16/14**

**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. If you are having difficulty submitting your application online, technical support and customer care 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 of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.

DPF-256A \* Revised 03/09