



B-209

In the Matter of Edgar Thomas,
Senior Maintenance Repairer, Fire
Equipment (M0299T), Moorestown

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-821

Examination Appeal

ISSUED: **SEP 18 2015** (CSM)

Edgar Thomas appeals the determination of the Division of Agency Services (Agency Services) which found that he was below the minimum requirements in experience for the open competitive examination for Senior Maintenance Repairer, Fire Equipment (M0299T), Moorestown.

In order to establish eligibility for the subject examination, applicants were required to have one year of experience in maintenance work involving repair of fire houses and fire equipment as of the May 29, 2015 closing date. The subject examination was cancelled on August 28, 2015 since the appellant was the only applicant.

The appellant indicated on his application that he was serving provisionally in the title under test from February 2015 to the closing date, May 2015. From August 2000 to May 2015 the appellant indicated that he worked in Information Services with Sysco Foods. Agency Services credited the appellant with four months of experience based on his provisional service in the title under test and determined that he would need an additional eight months of experience to qualify for the examination.

On appeal, the appellant highlights his provisional experience in the title under test and amends his application, explaining that he has also served as a volunteer Fire Fighter with the appointing authority for 12 years. As part of his volunteer duties, he is responsible for the upkeep and maintenance of all fire equipment, hydrostatic testing of SCBA air cylinders, and other maintenance and repair work involving firehouse and firehouse equipment. Christopher Chesner,

Fire District Administrator, verifies that the appellant, in his volunteer capacity for over 10 years, has been responsible for the oversight and repair of firefighting equipment and apparatus.

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the examination announcement by the announced closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended 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 of the New Jersey Statutes Annotated.

CONCLUSION

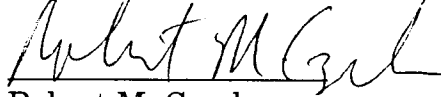
Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination as he only had four months of applicable experience based on his provisional experience in the title under test. On appeal, he amends his application indicating that he has worked for over 10 years as a volunteer Fire Fighter with the appointing authority and his duties in that capacity included repair and maintenance of firehouse and firefighting equipment. Additionally, the Fire District Administrator has verified that the appellant was responsible for these duties while serving as a volunteer Fire Fighter. Although *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date, good cause exists in this case to accept the appellant's additional submissions because the examination was cancelled and he continues to serve provisionally in the title under test. Additionally, the Civil Service Commission (Commission) is satisfied that the totality of his more than 10 years of volunteer service performing the required duties 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, admitting the appellant to the subject examination will provide him with the opportunity to obtain permanent status as well as to provide an eligible list to the appointing authority.

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
16TH DAY OF SEPTEMBER, 2015



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- c. Edgar Thomas
- Christopher Chesner
- Kelly Glenn
- Joseph Gambino