



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE
ACTION OF THE
CIVIL SERVICE COMMISSION

In The Matter of David Belzner,
Heating and Air Conditioning
Mechanic Low Pressure License
(C0314U), Monmouth County

Examination Appeal

CSC Docket No. 2017-1087

ISSUED: DEC 23 2016

(RE)

David Belzner appeals the determination of the Division of Agency Services which found that he was below the minimum requirements in experience for the open competitive examination for Heating and Air Conditioning Mechanic Low Pressure License (C0314U), Monmouth County.

The subject examination announcement was issued with a closing date of May 11, 2016, and was open to residents of Monmouth County, and contiguous counties, who met the announced requirement of three years of experience in work involving the maintenance and repair of heating, ventilating, and air conditioning equipment. The appellant was found ineligible for failure to possess the required experience. As there were no admitted candidates, the examination was cancelled on October 7, 2016.

The appellant completed an online application and included only one position, provisional Heating and Air Conditioning Mechanic Low Pressure License from May 2015 to the closing date, May 2016. The appellant received credit for this one year of experience, and was found to be lacking 2 years of required experience.

On appeal, the appellant provides a more comprehensive listing of his experience, including his provisional position and two other positions. Specifically, he indicated that he was a Heating and Air Conditioning Mechanic Low Pressure License, Heating and Air Conditioning Mechanic with Seabrook Village from February 2004 to May 2015, and a Heating and Air Conditioning Mechanic Low

Pressure License Stationary Engineer with CIBA Specialty Chemicals from 1990 to February 2004. The lists of duties he included for both positions were applicable.

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an applicant may amend a previously submitted application prior to the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that the Civil Service Commission may relax a rule for good cause in a particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

CONCLUSION

The appellant was correctly deemed to be ineligible for the subject examination since he lacked two years of required experience. On his application and on appeal, the appellant listed only one title, that of his provisional position. Nevertheless, on appeal he indicates that he held two other positions that have qualifying duties for at least two years. While the appellant failed to follow basic instructions in filling out his application, since no one was admitted to the examination, the Commission finds good cause to relax the provisions of *N.J.A.C.* 4A:1-2.1(f) and accept the appellant's prior-held experience not listed on his application, for eligibility purposes only, and to admit him to the examination. For any future positions in which he might be interested, the appellant is cautioned that he should complete his application and provide all requested information.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded, and the appellant's application be processed.

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 21st DAY OF DECEMBER, 2016



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