

Repairer performing duties that include running crews, concrete work and woodworking.

Agency records indicate that the appellant continues to serve provisionally in the title of Senior Bridge Repairer.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional 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 only prior to the announced application filing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation.

In this matter, Agency Services correctly determined that the appellant was ineligible for the subject examination as of the March 22, 2018 closing date on the basis of an incomplete application because he did not enter any experience. On appeal, the appellant indicates applicable duties he has been performing while serving provisionally in the title under test. Although this information is an amendment to the appellant's application, the circumstances of this case provide a basis to allow the amendment. Consideration of the amending information permits a finding that for examination eligibility purposes, the appellant has been performing the duties of the title under test since May 1, 2017 and thus now possesses enough applicable experience based on this service. Additionally, the record evidences that the eligible list has been exhausted. Under these particular circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a)2 and *N.J.A.C.* 4A:4-2.1(f), permit the appellant to amend his application, accept his provisional experience before and after the closing date for eligibility purposes only, and admit him to the examination.

However, the Commission emphasizes that the remedy in this matter is limited to the specific facts of this case and shall not be utilized as a precedent in any other proceeding. The importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Agency Services can make the initial determination whether to admit or reject an applicant. Agency Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner. An application may itself even serve as the test paper. *See N.J.A.C.* 4A:4-2.2(a)5. Therefore, the Commission cautions the appellant that he must properly complete any applications he may file in the future.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be processed for prospective 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 17TH DAY OF OCTOBER, 2018



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