



On appeal to the Civil Service Commission (Commission), the appellant argues that she possesses the required experience. It is noted that agency records indicate that the appellant was provisionally appointed to the title of Employment Specialist effective February 21, 2017 and continues to serve provisionally in that title.

### CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)2 provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing 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 because she did not meet the experience requirement as of the October 20, 2017 closing date since she lacked three months of experience. The appellant was provisionally appointed to the title under test effective February 21, 2017 and continues to serve provisionally in that title. The Commission finds that, for examination eligibility purposes, she has been performing the duties of the title under test since that date. Thus, the appellant now possesses enough applicable experience based on this service. Additionally, the record evidences that the examination situation is not competitive since there are only two active eligibles on the eligible list. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and accept the appellant's provisional experience after the closing date, for eligibility purposes only, and admit her to the examination.

### 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 18<sup>TH</sup> DAY OF APRIL, 2018



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