



STATE OF NEW JERSEY

In the Matter of Ibrahem Teleb,
Principal Engineer Transportation
(PS6347T), Department of
Transportation

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2022-2289

Examination Appeal

ISSUED: May 2, 2022 (SLK)

Ibrahem Teleb requests to file a late application for the promotional examination for Principal Engineer Transportation (PS6347T), Department of Transportation.

The subject examination was open to employees in unit scope T222 in the competitive division who were currently serving as a Senior Engineer Transportation (Senior Engineer) and had an aggregate of one year of continuous permanent service as of the September 21, 2021 closing date or to employees in the competitive division who had an aggregate of one year of continuous permanent service as of closing date in any competitive title and met the open competitive requirements by the closing date. The education requirement was a Bachelor’s degree in Engineering. The experience requirements were three years of experience in the survey, design, construction and/or maintenance of highways and bridges or related work.

A total of 27 employees applied and 15 were admitted. The test was administered on March 26, 2022, and the list has not yet promulgated.

In his request, the petitioner initially presents that he was not notified about the subject examination. He states that because he was working from home due to the pandemic there was no chance to talk with his peers and leaders, he had to take time off because his family was impacted by the pandemic, and he was overseas on vacation as he got married and just came back. The petitioner explains that when he

previously applied for a position as a Senior Engineer, he was notified about the announcement and had been appointed as a Senior Engineer, effective June 5, 2021. However, he indicates that he was first made aware of the subject examination on March 15, 2022. Additionally, the petitioner states that at the time that he was promoted to Senior Engineer, he was advised that the promotion announcement for the subject title usually occurs after aggregating one full year of continuous permanent service. Therefore, he expected the next promotion for the subject title to be announced around June 2022. However, the petitioner indicates that he was surprised to recently learn that the subject promotional examination was announced three months after his appointment as a Senior Engineer. He presents that there are co-workers who began their employment with the appointing authority at the same time that he did and who were appointed as Senior Engineers at the same time that he was who were determined eligible for the subject examination. The petitioner contends that if he is not allowed to apply to the subject examination, his career will be negatively impacted.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)4 states that applicants for promotional examinations must meet all requirements by the announced closing date, including filing an application on or before the application filing date. *N.J.A.C.* 4A:4-2.1(e) states that applications for open competitive and promotional examinations shall be submitted to the Civil Service Commission no later than 4:00 p.m. on the announced application filing date. *N.J.A.C.* 4A:4-2.1(b) provides that appointing authorities shall also ensure the notification by electronic or other means of all announcement postings and the notification of eligibles of the announcement.

In this matter, the record indicates that the petitioner was permanently appointed as a Senior Engineer, the title to which the examination was open, on June 5, 2021. Therefore, as of the September 21, 2021 closing date, he did not have one year of continuous permanent service in the title to which the examination was open. As the exam was only open to employees serving in a specific title for over one year or who met the open competitive requirements, the appointing authority was not obligated to notify the petitioner personally, as he was not serving in the title listed on the announcement for over one year. See *In the Matter of Robert Moore* (CSC, decided July 26, 2017) and *N.J.A.C.* 4A:4-2.1(b). Regarding the petitioner's claim that there were co-workers who were appointed as Senior Engineers who were determined eligible for the subject examination, those employees filed their applications timely and met the open competitive requirements. It is noted that it is an employee's responsibility to monitor promotional opportunities where they are not entitled to personal notification. Further, the fact that the petitioner was under the mistaken belief that he could not be potentially eligible for a promotional examination for the subject title until he had one year of continuous permanent service as a Senior Engineer, is not a valid reason to grant his request as an employee is responsible for

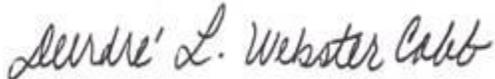
understanding Civil Service rules. Moreover, there is nothing unfair about denying the petitioner's request when his co-workers, who he states were in the same position as he was, filed timely applications. Additionally, an announcement for a promotional examination can be announced at any time the need or vacancy arises. Further, based on the number of applicants, it is anticipated that the list will be complete and there is no basis to relax the rules.

ORDER

Therefore, it is ordered that this request be denied.

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 27TH DAY OF APRIL 2022



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