



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Maritza Gonzalez,
Technical Assistant to the
Construction Official (M0608C),
Clifton

Examination Appeal

CSC Docket No. 2022-2117

ISSUED: May 2, 2022 (PS)

Maritza Gonzalez appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the licensing requirements for the open competitive examination for Technical Assistant to the Construction Official (M0608C), Clifton.

The subject examination had a November 22, 2021, closing date. The experience requirements were two years in work involving the processing, review and issuance of construction permits. The license requirement was possession of a valid New Jersey Uniform Construction Code Certification as a Technical Assistant to Construction Official issued by the State’s Department of Community Affairs (DCA). A total of two candidates applied for the subject examination and one was found eligible. Certification OL220288 was issued, and its disposition is due June 14, 2022.

On the appellant’s application, she listed that she was a provisional in the subject title from February 2021 to the closing date and a Keyboarding Clerk 1 from February 2019 to February 2021. Agency Services credited her with two years and nine months applicable experience. She also listed her Technical Assistant certification with an expiration date of November 2, 2021. Agency Services determined that she was not eligible as she did not possess the required certification as of the closing date, as it had expired.

On appeal, the appellant states that she is a certified Technical Assistant to the Construction Official and has been working in the building department for three years. She presents that she has completed the Technical Assistant course on May 15, 2020. The appellant asserts that she is also registered with DCA's Division of Codes and Standards and submits her current certification, which has an effective date of March 7, 2022.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purpose of Title 11A, New Jersey Statutes. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

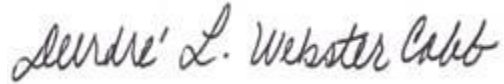
In this matter, Agency Services correctly determined that the appellant was ineligible as she did not have a valid New Jersey Uniform Construction Code Certification as a Technical Assistant to a Construction Official issued by DCA by the November 22, 2021, closing date. However, on appeal, the appellant provides proof that she reobtained the required license after the closing date. Additionally, the eligible list is incomplete as it only contains one name. Therefore, the Commission finds good cause under *N.J.A.C.* 4A:1-1.2(c) to relax the provisions of *N.J.A.C.* 4A:4-2.3(b) and accept the appellant's certification that was effective after the closing date, for eligibility purposes only, and admit her to the subject examination.

ORDER

Therefore, it is ordered that the appeal be granted, 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 27TH DAY OF APRIL 2022



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