

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Jesus Rodriguez,  
Assistant Head Grounds Worker  
(PS6083K), Department of Human  
Services

Examination Appeal

CSC Docket No. 2022-2120

ISSUED: May 2, 2022 (PS)

Jesus Rodriguez appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Assistant Head Grounds Worker (PS6083K), Department of Human Services.

The subject examination’s closing date was November 22, 2021. The experience requirements were one year of experience in work involving large scale grounds work, gardening, tree surgery and tree care operations. There were two applicants and one eligible and the list expires on March 9, 2025.

On the appellant’s application, he did not enter any experience. Personnel records indicate that the appellant was provisionally serving in the subject title from November 23, 2019, to the November 22, 2021, closing date and as a Grounds Worker from June 2001 to November 2019. Agency Services indicated that it could not determine the appellant’s eligibility as his application was incomplete.

On appeal, the appellant states that he has been employed at the Vineland Developmental Center since 1992 and has been working in the Assistant Head Grounds Worker title since 2019 provisionally. He presents that he understands the importance of leadership and teamwork and takes pride in his job every day. Further, the appellant states that as an employee and supervisor he realizes his obligation is to be of service and assure the safety of residents and employees of the Developmental Center. He provides his resume which indicates, among other things, his work experience as a provisional Assistant Head Grounds Worker and a Grounds Worker.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional 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 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 purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant was not eligible as he did not indicate any experience on his application. However, on appeal, the appellant describes how he performed the required duties while serving in the title provisionally as well as in his prior Grounds Worker position. Although *N.J.A.C.* 4A:4-2.1(f) proscribes the amendment of an application after the closing date set in the announcement, the circumstances present in this matter provide good cause to permit the appellant to amend his application. In this regard, the subject eligible list is incomplete, and the appellant continues to serve provisionally in the subject title. Further, the Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communications Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998). Therefore, the Commission finds that the appellant has demonstrated that he has the required experience for the subject title by the closing date, which, based on the circumstances presented, warrants his admission to the subject examination. Accordingly, good cause is established to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and accept the appellant's applicable experience, for eligibility purposes only, and admit him to the examination.

The Commission cautions the appellant that, in the future, he should ensure that any applications are fully and completely filled out as his failure to do so will be cause for rejection from the selection process. This determination is limited to the instant matter and does not provide precedent in any other matter.

## 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 27<sup>TH</sup> DAY OF APRIL 2022

*Deirdre L. Webster Cobb*

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Deirdré L. Webster Cobb  
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