



STATE OF NEW JERSEY

In the Matter of Ramesh Patel,
Project Engineer, Maintenance
(PS9607T), Department of
Transportation

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

Examination Appeal

CSC Docket No. 2024-327

ISSUED: September 4, 2024 (JET)

Ramesh Patel appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the education requirements for the promotional examination for Project Engineer, Maintenance (PS9607T), Department of Transportation.

The examination at issue was announced with specific requirements which had to be met as of the August 22, 2022 closing date. Specifically, the announcement required, in relevant part, graduation from an accredited college or university with a Bachelor's degree in Civil or Mechanical Engineering, and four years of experience in construction, maintenance or mechanic engineering involving highway construction engineering involving highway construction or maintenance, one year of which shall have been in a supervisory capacity. Possession of a valid license as a Professional Engineer issued by the New Jersey State Board of Professional Engineers and Land Surveyors could have been substituted for the Bachelor's degree in engineering. It was noted that a Master's degree in Civil or Mechanical Engineering could have been substituted for one year of non-supervisory experience. The resulting eligible list promulgated on May 11, 2023 and expires on May 10, 2026, containing the names of five eligibles. Three certifications were issued and two appointments were made.

On his application and resume, the appellant indicated that he possessed a Bachelor's degree in Metallurgical Engineering and a Master's degree in Transportation Engineering. Agency Services did not credit his education, as it was

not in the fields of Civil or Mechanical Engineering. The appellant also listed that he served as a provisional Project Engineer, Maintenance from June 2021 to the August 2022 closing date, as a Principal Engineer from August 2016 to May 2021, as a Senior Engineer from June 2008 to July 2016, as an Assistant Engineer from September 2005 to May 2008, and as an Engineering Technician 5 from January 2004 to August 2005. Accordingly, Agency Services determined that the appellant was ineligible for the examination, as he lacked the educational requirement.

On appeal, the appellant asserts, in pertinent part, that the education requirements for Project Specialist 1, Project Specialist 2, and Project Specialist 3, only require a Bachelor's degree in Engineering, while the education requirements for Assistant Engineer, Senior Engineer, Principal Engineer, and Supervising Engineer require a degree in Civil or Mechanical Engineering. The appellant questions why he was determined ineligible to take the subject examination, when he was determined eligible to take a prior examination for Supervising Engineer.¹ Moreover, the appellant requests that his Master's degree in Transportation Engineering be accepted as applicable in order to satisfy the education requirement in this matter.

In support, the appellant provides a February 5, 2024 letter from Taha F. Marhaba, Chairman, Department of Civil and Environmental Engineering, New Jersey Institute of Technology, indicating that the appellant's Master's degree in Transportation Engineering is related to the field of Civil Engineering, which focuses on the planning, design, construction, management, and performance of vital systems, consisting of facilities, vehicles, control mechanisms, technology, and policies that provide for the efficient transit of freight and individuals.

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.

Agency Services correctly determined that the appellant was ineligible for the subject examination. Initially, as was found in a prior decision, the appellant's Bachelor's degree in Metallurgical Engineering is not in the fields of Civil or Mechanical Engineering. *See In the matter of Ramesh J. Patel and Nikolaj Probola, Project Engineer, Transportation (PS6349T), Department of Transportation (CSC, decided April 6, 2022).* Additionally, the appellant does not indicate that he possesses a Professional Engineer license. Further, even if the appellant's Master's degree in Transportation Engineering were accepted, the requirements do not indicate that his Master's degree can be substituted for the **education** requirements. In this regard, the above noted substitution clause allowed a Master's degree in Civil or Mechanical

¹ The appellant does not indicate the symbol for this examination. The appellant also submits several non-supervisory announcements for various engineering titles to which he applied.

Engineering as a substitute for one year of experience, not education. Moreover, the requirements do not allow for the appellant's engineering experience to be substituted for the education requirement. With respect to the appellant's contentions that he was previously found eligible for prior examinations, including supervising engineering titles, such arguments do not establish his contentions in this matter, as eligibility for a prior examination does not establish eligibility for any future examinations. In this regard, the requirements indicated in each announcement are considered distinct from prior announcements, and eligibility is determined on a case-by-case basis review of the applications submitted for each announcement. As such, the appellant's eligibility for prior examinations does not establish his eligibility in this matter. Moreover, the Civil Service

Commission is unable to relax the controlling regulatory provisions because the examination situation is competitive, as five applicants were admitted to the subject examination and three remain on the eligible list.

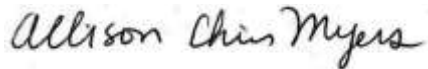
A thorough review of all material presented indicates that Agency Services' determination that the appellant did not meet the eligibility requirements by the closing date is amply supported by the record. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal 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 4TH DAY OF SEPTEMBER, 2024



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