



STATE OF NEW JERSEY

In the Matter of Kirby Stiltner, Jr.,
Inspector 1, Fire Safety (S0780F),
Statewide

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

Examination Appeal

CSC Docket No. 2025-292

ISSUED: March 19, 2025 (ABR)

Kirby Stiltner, Jr. appeals the determination of the Division of Agency Services (Agency Services), which found that he was below the minimum requirements in experience for the open competitive examination for Inspector 1, Fire Safety (S0780F), Statewide.

The subject examination was announced with a closing date of May 21, 2024. Applicants were required to possess four years of experience in a field associated with the fire service or fire protection industry, such as fire inspector, fire protection subcode, or fire prevention official as of the closing date. The resultant eligible list, containing 18 names, promulgated on July 25, 2024, and expires on July 24, 2027.

On his application, the appellant stated that he served as a Bridge Operator from May 2022 to the closing date; as a part-time Emergency Medical Technician (EMT) with Wildwood Crest from December 2021 to the closing date; as a part-time Fire Inspector¹ with Middle Township Fire District No. 2 from June 2017 to the closing date; as a part-time EMT with Morey's Piers from May 2014 to August 2022; and as a part-time EMT with Middle Township from October 2013 to June 2022. The appellant also indicated that he was a member of the Rio Grande Volunteer Fire Company from 1996 to the closing date and a member of the Rio Grande Volunteer

¹ It is noted that the resume the appellant submitted with his application listed this experience as "Fire Inspector/ Clerk."

Rescue Squad from 2011 to the closing date. Upon review of his application, Agency Services credited him with two years and five months of experience based upon his prorated experience (12 hours per week) as a part-time Fire Inspector. However, because Agency Services determined that he did not possess an additional one year and seven months of applicable fire service or fire protection industry experience, he was deemed ineligible for the subject examination.

On appeal to the Civil Service Commission (Commission), the appellant argues that based upon his experience as a certified Fire Inspector since 2019, his experience as a volunteer with the Rio Grande Volunteer Fire Company since 1997, his role as safety officer of his own company for two years, and his experience with Middle Township Fire District No. 2,² he should have been deemed eligible for the subject examination. In support, he details the duties he has performed in each of these positions. It is noted that with the Rio Grande Volunteer Fire Company, he states that his firefighting experience includes nine years in a supervisory capacity, with seven years of experience as a Fire Lieutenant and two years as a Fire Captain. It is further observed that the duties he presents for each title he has held with the Rio Grande Volunteer Fire Company substantially mirror those listed in this agency's job specifications for the titles of Fire Fighter, Fire Lieutenant and Fire Captain.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants must meet all requirements specified in an open competitive examination announcement by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. That is, any documentation indicating work in any setting that was not previously listed on an application or resume cannot be considered after the closing date. See *In the Matter of Joann Burch, et al.* (MSB, decided August 21, 2003) and *In the Matter of Rolanda Alphonso, et al.* (MSB, decided January 26, 2005).

At the outset, the appellant states on appeal that he possesses additional applicable experience which was not noted in his application, namely his experience with his own company. However, such additional information is considered an amendment to his application for the subject examination which, as set forth in *N.J.A.C.* 4A:4-2.1(f), cannot be considered after the announced closing date.

As to the appellant's volunteer experience with the Rio Grande Volunteer Fire Company, as noted above, the duties he presents on appeal are substantially similar

² On appeal, the appellant states that he started working part-time for the Middle Township Fire District No. 2's Fire Prevention and Inspection Bureau in 2016, became a "fire inspector [at] the end of 2018 and then a fire official in 2019 . . . working part[-]time at 29 hours [per] week until" December 2021. The appellant does not clearly indicate his title or duties between 2016 and late 2018 on appeal. However, as noted above, he listed his experience with the Middle Township Fire District No. 2's Fire Prevention and Inspection Bureau on his resume as "Fire Inspector/ Clerk," suggesting that his duties during this period may have been, at least in part, clerical in nature.

to the examples of work listed in the job specifications for Fire Fighter, Fire Lieutenant and Fire Captain, and do not indicate the requisite primary focus in fire inspector, fire protection subcode, or fire prevention official duties. Therefore, this experience is not considered applicable experience for the subject examination.

With regard to the appellant's Middle Township Fire District No. 2 experience, the changes in dates and hours the appellant presents with respect to his Fire Inspector experience on appeal are also considered an amendment to his application which per *N.J.A.C.* 4A:4-2.1(f), cannot be accepted. However, even assuming, *arguendo*, this information was acceptable, it would still not be sufficient for eligibility. In this regard, the appellant presents that he worked 29 hours per week, rather than 12 hours per week, prior to December 2021. However, the appellant has actually made it *less* clear on appeal how much applicable experience he possessed based upon this service. Significantly, on both his application and his resume, he indicated that he commenced his service with Middle Township Fire District No. 2 in June 2017. However, on appeal he presents that he commenced his work with the fire district in 2016, but that he didn't become a Fire Inspector until the end of 2018. This characterization of his Middle Township Fire District No. 2 experience on appeal suggests that his experience prior to the end of 2018 may not have been applicable experience. Further, since the appellant did not specify the month in 2018 when he began serving as a Fire Inspector, he would not be awarded credit for the additional hours he claimed he worked prior to January 2019. As such, the most he could be awarded would be an additional one year and six months of experience based upon his additional prorated experience between January 2019 and December 2021.³ Since this is less than the additional one year and seven months of applicable fire service or fire protection industry experience that he needed to demonstrate, he would still fall short of the experience requirement for the subject examination.

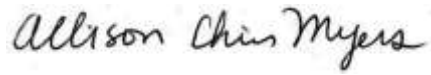
ORDER

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.

³ However, this increase would be offset by a deduction for any period between June 2017 and the end of 2018 where the appellant was not performing applicable duties.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 19TH DAY OF MARCH, 2025



Allison Chris Myers
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Nicholas F. Angiulo
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Kirby Stiltner, Jr.
Division of Agency Services
Records Center