



STATE OF NEW JERSEY

In the Matter of John Neefus,  
Compactor Truck Driver (PC0175U),  
Monmouth County

FINAL ADMINISTRATIVE  
ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-4346

Examination Appeal

ISSUED: NOV 15 2016 (JET)

John Neefus appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Compactor Truck Driver (PC0175U), Monmouth County.

The subject examination was announced with a closing date of February 22, 2016 with specific requirements that had to be met as of the closing date. (see attached). It is noted that the examination was cancelled on June 16, 2016, since the appellant, the only applicant, was found ineligible for the examination.

On the appellant's application, he indicated that he served as a provisional Compactor Truck Driver from October 2014 to the closing date, February 22, 2016. Official personnel records indicate that the appellant served as a provisional Compactor Truck Driver from July 4, 2015 to the closing date, and as a Building Maintenance Worker/Maintenance Worker 1, Grounds, from October 20, 2014 to July 4, 2015. Agency Services credited the appellant with eight months of applicable experience for his work as a provisional Compactor Truck Driver, but it did not find any of his other experience applicable. Accordingly, Agency Services determined that the appellant lacked four months of applicable experience as a Compactor Truck Driver.

On appeal, the appellant provides clarifying information indicating, among other things, that he is currently performing applicable duties while serving

provisionally in the title under test. He states that his duties include driving a five-ton bale truck to transport garbage to a landfill. Therefore, the appellant argues that he has sufficient experience to qualify for the examination.

Official personnel records indicate that the appellant continues to serve provisionally in the subject title.

### CONCLUSION

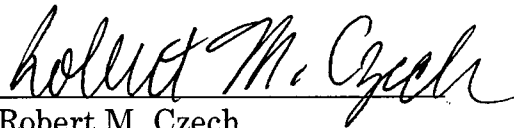
*N.J.A.C.* 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular situation. Initially, it is noted that Agency Services correctly credited the appellant with eight months of applicable experience based on his provisional service in the subject title. However, a review of the record indicates that the appellant continues to serve provisionally in the title of Compactor Truck Driver. The appellant now has enough applicable experience based on this service. Moreover, since the appellant was the only applicant, this is not a competitive situation. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-4.6(a)2 and accept the appellant's provisional experience after the closing date, for eligibility purposes only, and to admit him to the examination.

### ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded 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 10<sup>th</sup> DAY OF NOVEMBER, 2016



Robert M. Czech  
Chairperson  
Civil Service Commission

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and  
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c: John Neefus  
Frank J. Tragno, Jr.  
Kelly Glenn  
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION  
COUNTY AND MUNICIPAL GOVERNMENT SERVICES  
**PROMOTIONAL ANNOUNCEMENT**



**\$25.00 PROCESSING FEE REQUIRED**  
Make Check/Money Order Payable to NJCSC

|                                |                                   |
|--------------------------------|-----------------------------------|
| SYMBOL: PC0175U                | WEIGHT CODE: *                    |
| TITLE: COMPACTOR TRUCK DRIVER  | SALARY: \$35,500.00 - \$51,624.00 |
| ISSUE DATE: February 01, 2016  | CLOSING DATE: February 22, 2016   |
| TITLE CODE: 01323/ B4RNR2      | JURISDICTION CODE: T13000045      |
| JURISDICTION: MONMOUTH COUNTY  |                                   |
| DEPARTMENT: RECLAMATION CENTER |                                   |

Visit [www.state.nj.us/csc](http://www.state.nj.us/csc)  
And select "Job Announcements"  
to view this announcement and to file an application

**Open to employees in the non-competitive division who have an aggregate of one year of continuous permanent service as of the closing date, are currently serving in the following title(s) and meet the requirements listed below:**

**Building Maintenance Worker/Maintenance Worker 1 Grounds  
Laborer 1**

**Or to all employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date, and meet the requirements listed below:**

Experience: One year of experience in driving a truck with a gross vehicle weight of at least 26,000 pounds and with auxiliary equipment such as a snow plow, salt spreader, power take-off winch, lift body or hydraulic lifting device.

License: Appointees must possess a valid Commercial Driver's License (CDL), Class A, for the class and type of vehicle being operated.

Note: The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the appointing authority.

Special Note: Employment lists resulting from this announcement may be developed by an evaluation of driving experience listed on the applications. Indicate types of vehicles operated, such as a small or large van, 45 passenger bus, 3/4 ton truck, tractor trailer, etc. Also, indicate the type of license (auto, bus or articulated license) and related driving duties you have performed.

If you list experience in titles other than driving titles, you **MUST** indicate the percentage (%) of driving time for each position listed or the experience will not be evaluated for credit.

**IMPORTANT INFORMATION**

- NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
- ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
- This examination is open to full-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, the resulting list may be used to fill either work week position.
- NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
- In accordance with Public Law 2010 c.26, **Veterans pay a reduced application fee of \$15.00** if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.** (i.e. Police, Fire, Corrections and Sheriff).
- If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: [OAS.support@csc.state.nj.us](mailto:OAS.support@csc.state.nj.us) or call (609) 292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.**

DPF-256A \* Revised 03/09