



STATE OF NEW JERSEY

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

In the Matter of Terrell Rhymes,
Records Technician 3, Motor Vehicles
(PS4527T), Motor Vehicle
Commission

Examination Appeal

CSC Docket No. 2018-630

ISSUED: APRIL 9, 2018 (SLK)

Terrell Rhymes appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Records Technician 3, Motor Vehicles (PS4527T), Motor Vehicle Commission.

The examination at issue was announced with specific requirements that had to be met as of the March 21, 2017 closing date. The requirements for the examination are one year of experience in the review/analysis of driver records for the purpose of ensuring that laws, rules, regulations, or policies have been interpreted properly or in a public/private agency involved in processing, evaluation, and/or adjustment of damage claims or other insurance claims evaluation and adjustment work. A total of 45 employees applied for the subject examination that resulted in a list of 27 eligibles with an expiration date of September 13, 2020. Certifications PS171802, PS171803, PS171804, PS171806, and PS171807 were issued.

On his application, the appellant indicated that he was a Technician MVC from September 1999 to the March 21, 2017 closing date. In this position, his duties were “clerical work, counting money, managing and maintaining crowds, closing out the agency, etc.” Personnel records indicate that he was a Technician MVC from July 2010 to the March 21, 2017 closing date and served in various customer service positions from June 2003 to July 2010. Agency Services determined that he lacked one year of the required experience.

On appeal, the appellant questions how he could have been determined eligible for a prior examination (PS2892T) in 2015 for the subject title and ineligible for the subject examination now that he has two more years of experience. Additionally, the appellant highlights that he was the seventh ranked eligible on the PS2892T eligible list. The appellant believes that the PS2892T eligible list is active until January 2018 and he submits his Notice of Eligibility for that exam which indicates that the PS2892T eligible list expires in January 2018. Therefore, he questions why appointments are not being made using the PS2892T eligible list.

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:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant questions how he could have been determined ineligible for the subject examination when he had previously been determined eligible for the subject title in a prior examination. However, the Civil Service Commission notes that each examination is announced as a separate entity and eligibility for one examination has no bearing on another. *See In the Matter of Susan Jurden and Mark O'Sullivan* (MSB, decided May 19, 2004). In this matter, the appellant was clearly not eligible for the subject examination, as he did not indicate on his application for the subject examination that he had one year of experience in the review/analysis of driver records. Further, if the appellant does possess the required experience, he is responsible for the accuracy of his application and the Online Application System clearly advises that candidates may be declared ineligible if they fail to complete their application properly. *See In the Matter of Michael Gelesky* (CSC, decided July 26, 2017). In this regard, the importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Agency Services can make the initial determination whether to admit or reject an applicant. Agency Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner.

In reference to the PS2892T eligible list, initially that list was not scheduled to expire until January 2018. However, the appointing authority requested to combine unit scopes MV40 and MV70 and that request was approved by Agency Services on May 21, 2015. Based on this reorganization, Agency Services changed the expiration date for PS2892T to May 21, 2015.


Therefore, there is no basis to disturb the decision of Agency Services. Accordingly, the appellant has not met his burden of proof in this matter.

ORDER

Therefore, it is ordered that the 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 APRIL, 2018



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