



STATE OF NEW JERSEY

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

In the Matter of Matthew Ridge,
Welder (C0553V), Union County

Examination Appeal

CSC Docket No. 2018-1816

ISSUED: APRIL 6, 2018 (HS)

Matthew Ridge appeals the determination of the Division of Agency Services (Agency Services), which found that he did not meet the experience requirement for the open competitive examination for Welder (C0553V), Union County.

The subject examination was announced with a closing date of July 24, 2017 and was open to Union County residents who successfully completed a two-year training program in basic welding operations and possessed one year of varied experience in welding which shall have included oxyacetylene and arc welding and cutting. It is noted that the appellant was one of four applicants for the subject open competitive examination, which was cancelled as all applicants were deemed ineligible.

On his application, the appellant listed his experience as a provisional Welder with Union County from April 2017 to the closing date. Agency Services credited the appellant with four months of applicable experience based on this experience and determined that he met the training requirement. Therefore, Agency Services deemed the appellant ineligible since he lacked eight months of experience and thus did not meet the experience requirement set forth in the announcement.

On appeal to the Civil Service Commission (Commission), the appellant argues that he possesses the required experience. It is noted that agency records indicate that the appellant was provisionally appointed to the title of Welder effective April 1, 2017 and continues to serve provisionally in that title.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation.

In this matter, Agency Services correctly determined that the appellant was ineligible for the subject examination because he did not meet the experience requirement as of the July 24, 2017 closing date since he lacked eight months of experience. The appellant was provisionally appointed to the title under test effective April 1, 2017 and continues to serve provisionally in that title. The Commission finds that, for examination eligibility purposes, he has been performing the duties of the title under test since that date. Thus, the appellant now possesses enough applicable experience based on this service. Additionally, the record evidences that the examination situation is not competitive since the examination was cancelled given that all applicants were deemed ineligible. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and accept the appellant's provisional experience after the closing date, for eligibility purposes only, and 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.

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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