



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Jason Miranda,
Senior Planner Environmental
(PC2877W), Passaic County

CSC Docket No. 2020-93

Examination Appeal

ISSUED: September 12, 2019 (RE)

Jason Miranda appeals the determination of the Division of Agency Services which found that he did not meet the minimum requirements in experience for the open-competitive examination for Senior Planner Environmental (PC2877W), Passaic County.

The subject examination had a closing date of December 21, 2018 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who met the announced requirements. These requirements included possession of a Bachelor's degree from an accredited college or university including or supplemented by twenty-one semester hour credits in professional planning subjects such as the principles of land use planning, history of city planning, planning project design, planning law and administration AND two years of experience in environmental planning. Possession of a current and valid license as a Professional Planner in New Jersey issued by the State Board of Professional Planners could be substituted for the educational requirement. Possession of a Master's degree in Planning from an accredited college or university may be substituted for one year of the required experience. The appellant was found to be ineligible based on a lack of experience. As there were no admitted applicants, the examination was canceled on July 10, 2019.

On his application, the appellant indicated possession of a Bachelor's degree in Urban and Public Affairs, and a Master's degree in Spatial Planning. As such, he was required to possess one year of applicable experience. He listed two positions

on his application, provisional Senior Planner Environmental and Assistant Planner, and two internships. He was credited with four months of experience in his provisional position. His remaining experience was not accepted, and he was found to be lacking eight months of applicable experience.

On appeal, the appellant restates the duties of his positions, and argues that his Assistant Planner experience is applicable.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional 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. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, the appellant was correctly found ineligible for the subject examination. He was credited with four months of experience in his provisional position, and a review of his application not did not indicate that environmental planning was the primary focus of his Assistant Planner position. However, the examination was cancelled, the appellant continues to serve provisionally in the title under test, and he has accrued at least an additional eight months of experience since the November 2018 closing date. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and *N.J.A.C.* 4A:4-2.3(b) to accept the appellant's additional experience beyond the closing date and admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

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 10th DAY OF SEPTEMBER, 2019



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