

B-45



In the Matter of Christian Booker,
Police and Fire Signal System
Technician 1 (PM0192T), Bayonne

CSC Docket No. 2016-144

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED: **JUL 31 2015** (CSM)

Christian Booker appeals the determination of the Division of Agency Services (Agency Services) which found that he was below the minimum requirements in experience for the promotional examination for Police and Fire Signal System Technician 1 (PM0192T), Bayonne.

The examination at issue was announced with specific requirements that had to be met as of the closing date of February 21, 2015 (see attached). The subject examination was cancelled on July 18, 2015 since the appellant, who was the only applicant, was deemed ineligible.

The appellant indicated on his application that he served provisionally in the title under test from February 1994 to the closing date, February 2015. A review of the appellant's personnel record indicates that he served provisionally in the title under test from September 2014 to the February 2015 closing date, an Equipment Operator from September 2008 to September 2014, and a Maintenance Worker 1, Grounds from March 1998 to September 1998. The appellant completed the required specialized vocational training in electrical or electronic technology. Agency Services credited the appellant with completion of the required training and six months of experience based on his provisional service in the title under test, but determined that the remainder of his experience was not applicable. Therefore, he would need six months of experience to qualify for the examination.

On appeal, the appellant states that he has been performing the duties required to establish eligibility since March 2012. Gary Chimielewski, Director of

Public Works, verifies that the appellant has performed the required out-of-title duties while serving in the title of Equipment Operator since March 2012.

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:4-2.6(c) provides that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception.

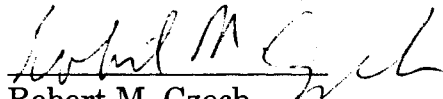
Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. As of the closing date, the appellant would need six additional months of experience to qualify for the subject examination. Additionally, primarily performing the duties required to establish eligibility would be considered out-of-title work for an incumbent in the Equipment Operator title. However, the Director of Public Works has verified that the appellant has performed the required out-of-title duties since March 2012. Additionally, the appellant continues to serve provisionally in the title under test and the examination was cancelled due to a lack of qualified applicants. Accordingly, the Commission accepts the appellant's out-of-title work experience, for eligibility purposes, and admits 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 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
29TH DAY OF JULY, 2015



Robert M. Czech

Chairperson

Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

- c. Christian Booker
Deborah Falciani
Kelly Glenn
Joseph Gambino

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: PM0192T

WEIGHT CODE: *

TITLE: POLICE AND FIRE SIGNAL SYSTEM TECHNICIAN I

SALARY: \$35,765.00 - \$54,165.00

ISSUE DATE: February 01, 2015

CLOSING DATE: February 21, 2015

TITLE CODE: 05886/ NCRJR2

JURISDICTION CODE: N09010080

JURISDICTION: BAYONNE

DEPARTMENT: PUBLIC WORKS

Visit www.state.nj.us/csc
And select "Job Announcements"
to view this announcement and to file an application

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Education: Completion of a vocational, technical or specialized training program in electrical or electronic technology. You must indicate the details of your training program on your application. Proof must be submitted with your application. Failure to do so will result in rejection from the examination process.

Experience: One (1) year of experience in work involving the installation, maintenance and repair of electrical or electronic components, equipment or systems.

Note: Applicants who do not possess the required education may substitute one (1) year of additional experience.

License: Appointees will be required to possess a driver's license valid in the State of New Jersey. Proof of the license must be provided to the appointing authority prior to appointment.

Note: Appointees will be required to possess a valid Commercial Driver's License (CDL), Class B, for the class and type of vehicle being operated only if it is necessary to perform the essential duties of the position.

Appointees may be required to possess a FCC General Radiotelephone Operator License, Radio Industry Competency Certificate, or equivalent license or certification specific to radio operation and repair.

IMPORTANT INFORMATION

1. 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.
2. **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.
3. 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.
4. 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.
5. 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).
6. **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 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