

B-29



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Paulo Marques,  
Traffic Signal Supervisor 1  
(PM1199U), Elizabeth

Examination Appeal

CSC Docket No. 2017-1089

ISSUED: **JAN 20** 2017 (SLK)

Paulo Marques appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Traffic Signal Supervisor 1 (PM1199U), Elizabeth.

The examination at issue was announced with specific requirements that had to be met as of the May 23, 2016 closing date (see attached). The appellant was the only employee that applied for the examination which was cancelled due to a lack of qualified applicants.

On his application, Mr. Marques indicated that he completed a traffic signal program and is certified as a Traffic Signal Technician Level 1. He also indicated that he was provisionally serving in the subject title from March 2016 to the May 23, 2016 closing date, a Signal System Technician 1 from May 2011<sup>1</sup> to March 2016, and in Data Processing Programming positions from August 2007 to May 2011. Agency Services credited him for his certification as a Traffic Signal Technician Level 1, three months of the required supervisory experience based on his provisional service in the subject title, and having met the general experience requirement based on his provisional service and his service as a Signal System

<sup>1</sup> Personnel records indicate that he was a Signal System Technician 1 from October 2011 to March 2016.

Technician 1, but determined that he lacked nine<sup>2</sup> months of the required lead worker or supervisory experience.

On appeal, the appellant submits a letter from James Cosgrove, Police Director, who confirms that while the appellant served as a Signal Service Technician 1 since 2011, he supervised 10 people due to retirements and other personnel moves.

### 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:4-2.6(c) provides that, except when permitted for good cause, 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.

Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was credited with having met the education requirement, the general experience requirement, and three months of the required supervisory or lead worker experience, but he lacked nine months of the required experience needed to establish eligibility. Any relevant supervisory experience the appellant gained as a Signal System Technician 1 would be out-of-title-work. However, Mr. Cosgrove confirmed that the appellant had been performing the required out-of-title duties as a Signal Service Technician 1 from as far back as 2011 due to business necessity. Additionally, the examination was cancelled due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test. Accordingly, good cause exists to accept the appellant's out-of-title work experience, for eligibility purposes only, and to admit him to the examination.

### ORDER

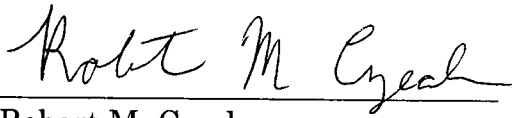
Therefore, it is ordered that the appeal be granted, and Paulo Marques' application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

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<sup>2</sup> Agency Services determined that he lacked eight months of supervisory experience. However, as he needed one year of supervisory experience and he had three months of in-title supervisory experience as of closing date, he needed an additional nine months of supervisory experience.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 18<sup>th</sup> DAY OF JANUARY, 2017



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

Attachment

c: Paulo Marques  
Bridget Zellner  
James Cosgrove  
Kelly Glenn  
Records Center

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



[Click here to file Online](#) Print  
**\$25.00 PROCESSING FEE REQUIRED**  
Make Check/Money Order Payable to NJCSC

SYMBOL: PM1199U

TITLE: TRAFFIC SIGNAL SUPERVISOR I

ISSUE DATE: May 01, 2016

TITLE CODE: 06819/ ECRVRI

JURISDICTION: ELIZABETH

DEPARTMENT: POLICE

WEIGHT CODE: \*

SALARY: \$85,000.00 - \$87,300.00

CLOSING DATE: May 23, 2016

JURISDICTION CODE: N20040012

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 competitive division who have an aggregate of one year of continuous permanent service as of the closing date and are currently serving in the following title(s):

Traffic Signal Technician 2 05219

Or 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. If you have the required certification, you must indicate this on your application; proof of the certification must be submitted with your application. Failure to do so will result in rejection from the examination process.

Experience: Three (3) years of experience in work involving the installation, maintenance and repair of electrical or electronic components, equipment or systems. One (1) year of the required experience shall have been in a supervisory or leadworker capacity.

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

Applicants who do not possess the required education may substitute two (2) years of additional nonsupervisory experience.

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. 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.
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](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