



STATE OF NEW JERSEY

In the Matter of Shaun Peterson,  
Senior Traffic Maintenance Worker  
(PM1710U), Woodbridge

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-2190

Examination Appeal

ISSUED: **MAY 19 2017** (SLK)

Shaun Peterson appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Senior Traffic Maintenance Worker (PM1710U), Woodbridge.

The examination at issue was announced with specific requirements that had to be met as of the August 22, 2016 date (see attached). A total of three employees applied for the subject examination and two were deemed eligible. The two eligibles were appointed on certification PL170005.

On his application, Mr. Peterson indicated that he was a Sanitation Driver from February 2002 to March 2010. On appeal, Mr. Peterson provides examples explaining how he has been performing the required duties for the past five years including while provisionally serving in the subject title since December 2015.

CONCLUSION

N.J.A.C. 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. N.J.A.C. 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant did not indicate any of the

required experience on his original application. On appeal, the appellant provides examples explaining how he has been performing the required duties for the past five years. 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. Although *N.J.A.C. 4A:4-2.1(f)* proscribes the amendment of an application after the closing date set in the announcement, the Civil Service Commission (Commission) notes several circumstances present that provide good cause to permit the appellant to amend his application in this particular matter. In this regard, the Commission is satisfied that the totality of his traffic maintenance duties from March 2011 through the present warrants his admission to the subject examination.<sup>1</sup> Additionally, the list is incomplete as there are currently no names on the eligible list. Accordingly, good cause is established to relax the provisions of *N.J.A.C. 4A:4-2.1(f)* and admit the appellant to the subject examination.

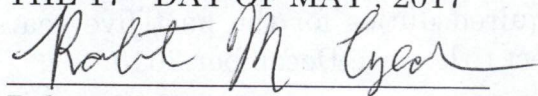
The Commission cautions the appellant that, in the future, he should ensure that any applications are fully and completely filled out as his failure to do so will be cause for rejection from the selection process. Finally, this determination is limited to the instant matter and does not provide precedent in any other matter.

#### ORDER

Therefore, it is ordered that the appeal be granted, and Mr. Peterson'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 17<sup>th</sup> DAY OF MAY, 2017



Robert M. Czech  
Chairperson  
Civil Service Commission

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<sup>1</sup> Personnel records confirm that the appellant worked as Traffic Maintenance Worker from March 2011 to December 2015 and began provisionally serving in the subject title starting in December 2015.

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