



B-16

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Luis Figueroa,
Senior Traffic Maintenance Worker
(M0869U), Newark

CSC Docket No. 2017-3195

Examination Appeal

ISSUED: JUN 26 2017

(RE)

Luis Figueroa appeals the determination of the Division of Agency Services which found that he did not meet the minimum experience requirements for the open-competitive examination for Senior Traffic Maintenance Worker (M0869U), Newark.

The subject open-competitive was announced with specific requirements that had to be met as of the November 25, 2016 closing date (see attached). There were no admitted candidates, and the examination was cancelled on April 14, 2017.

Mr. Figueroa listed five positions on his application; provisional Senior Traffic Maintenance Worker, Warehouse Man with FAPS Inc., Shipping and Receiving Operator with VOLT (3M), Agente with the Puerto Rico Police Department, and Accounting Professor at a college. The appellant was credited with four months of experience in his provisional position, and was found to be lacking eight months of full-time experience.

On appeal, the appellant argues that his duties as an Agente with the Puerto Rico Police Department, and as a Warehouse Man with FAPS Inc., are applicable.

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

CONCLUSION

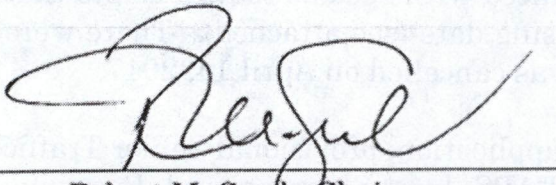
Initially, the appellant was correctly denied admittance to the subject examination since he lacked eight of qualifying experience. His experience in the remaining positions are inapplicable as they do not have the announced experience requirement as the primary focus. Nonetheless, the subject list has no admitted candidates, and the examination was cancelled. The appellant is still serving as a provisional appointee and he has accrued an additional eight months of full-time experience since the November 2016 closing date. Based on the particular circumstances presented, good cause has been established to relax the provisions of 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, 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
THE 21st DAY OF JUNE, 2017



Robert M. Czedo, 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: Luis Figueroa
Kecia Daniels
Kelly Glenn
Records Center



Job Announcements

Symbol: M0869U Title: **SENIOR TRAFFIC MAINTENANCE WORKER**

Issue Date: 11/04/2016

Closing Date: 11/25/2016

Jurisdiction: NEWARK

Salary: \$20.35 - \$21.18 Per Hour

Num. of Positions: 1

Workweek: 40 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

Newark City

REQUIREMENTS:

EXPERIENCE: One (1) year of experience in work involving the assembly, installation, and maintenance of traffic control devices and signs, and in painting traffic and crosswalk lines.

LICENSE: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position.

Customer Care and Technical Support: If you are having difficulty submitting your application online, customer care and technical support 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.nj.gov or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

IMPORTANT INFORMATION:

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
6. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq). Those claiming Veteran's Preference but have not yet received approval from DMAVA must pay the full application fee and may request a refund if the claim is approved at least 8 days prior to the issuance of the eligibility list. Please note this reduced fee does not apply to Public Safety titles.
7. Application fees submitted via personal check or money order must be postmarked within **five (5) business** days of submitting your application. If your fee is postmarked after five (5) business days, or is returned as invalid, you will be declared ineligible and denied admittance to the examination process.

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