

B-11



STATE OF NEW JERSEY

In the Matter of James King,
Institutional Trade Instructor 2, Food
Processing (PS4227I), South Woods
State Prison

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-3615

Examination Appeal

ISSUED: JUN 15 2017 (CSM)

James King appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Institutional Trade Instructor 2, Food Processing (PS4227I), South Woods State Prison.

The examination at issue was announced with specific requirements that had to be met as of the January 23, 2017 closing date (see attached). A total of four employees applied for the subject examination which resulted in a list of two eligibles with an expiration date of May 3, 2020. .

On his application, the appellant indicated that he was provisionally serving in the title under test from September 2016 to the January 2017 closing date. He did not provide any additional information on his application. On appeal, the appellant provides a copy of his resume indicating experience as an Institutional Trade Instructor 1, Cooking and Supervising Food Service Area Operations. The appellant also provides copies of his performance evaluations as from June 2008 to June 2016 indicating that he performed the required duties to establish eligibility for the title under test.

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.

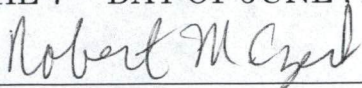
Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant only indicated his provisional experience in the title under test on his original application. On appeal, the appellant provides his resume and performance examinations indicating that he has been performing the required duties to establish eligibility for more than three 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 experience since 2008 through the present warrants his admission to the subject examination. Additionally, the appellant continues to serve provisionally in the title under test and the list is incomplete. 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.

ORDER

Therefore, it is ordered that the appeal be granted, and Mr. King'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 7TH DAY OF JUNE, 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: James King
Jennifer Caignon
Kelly Glenn
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE

PROMOTIONAL ANNOUNCEMENT

\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

SYMBOL: PS42271

WEIGHT CODE: *

TITLE: INSTITUTIONAL TRADE INSTRUCTOR 2 FOOD PROCESSING

SALARY: \$46,589.00 - \$65,781.00

ISSUE DATE: January 01, 2017

CLOSING DATE: January 23, 2017

TITLE CODE: 40623L/M3RXR2

CLASS CODE: 18

DEPARTMENT: COIE/CORRECTIONS

UNIT SCOPE: 1380 South Woods State Prison (Bridgeton)

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 are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):

Institutional Trade Instructor 1 Food Processing

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:

Experience: Three (3) years of experience in areas of product formulating including but not limited to processing of raw materials, and the cutting, packaging, shipping, storing, distributing and sanitizing of food products and plant equipment in a commercial or institution kitchen.

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. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to the department and unit scope, 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- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, 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 Department of Military and Veterans Affairs (DMAVA) (as defined by N.J.S.A. 11A:5-1 et seq.). Those claiming Veterans 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 this eligibility list. PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.
6. **SPECIAL NOTE TO ALL APPLICANTS** Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.
7. 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 regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.
8. 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.

DPF-256A * Revised 03/09