

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Thomas Glowacka, Supervisor Building Service/Maintenance Supervisor Grounds (PM1193W), Marlboro

CSC Docket No. 2019-837

Examination Appeal

ISSUED: October 31, 2018 (RE)

Thomas Glowacka appeals the decision of the Division of Agency Services (Agency Services) which found that he did not meet the experience requirements for the "dual" promotional examination for Supervisor Building Service/Maintenance Supervisor Grounds (PM1193W), Marlboro. A dual title is a title that combines two separate titles into one classification; applicants need to meet the minimum requirements of both titles in order to be declared eligible.

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The subject promotional examination had a closing date of April 23, 2018 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date and met the announced requirements. These requirements included three years of experience in work involving the cleaning and maintenance of furniture, fixtures, offices and buildings **AND** three years of experience in the care and maintenance of grounds, one year of which must have been in a lead worker or assistant supervisor capacity. The appellant was found to be below the minimum requirements for experience. As there were no admitted candidates, the examination was cancelled on September 20, 2018.

On his application, the appellant listed experience in the following five positions: self-employed in landscaping, Public Works Repairer, Truck Driver, Laborer, and Maintenance Repairer/Meter Reader from July 1991 to December 1994. Official records indicate that the appellant was not in a dual title in the last position, but was a Maintenance Repairer from June 1993 to June 1994, and a Meter Worker from June 1994 to December 1997. The appellant was credited with

more than ten years in the care and maintenance of grounds, and was found to be lacking three years of experience in work involving the cleaning and maintenance of furniture, fixtures, offices and buildings.

On appeal, the appellant argues that he has completed courses, has five years of supervisory experience as a public works manager, is scheduled to take a final test (presumably for a certification), and has placed high in prior examinations for Assistant Supervisor Public Works and Supervisor Public Works. He states that he is a resident of Marlboro Township, has remodeled three of his houses from top to bottom, owns a landscaping company, performed remodeling of buildings and garages for the township, and has been in charge of many job sites. He also argues that the announcement "changed to a residency requirement."

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.

The appellant met one of the experience requirements for the subject examination. However, none of his positions had work involving the cleaning and maintenance of furniture, fixtures, offices and buildings as the primary focus. As such, the appellant does not meet the requirements for the subject title. There was no substitution clause of training for the required experience, and placement on eligible lists for other titles has no bearing on the subject examination, as each examination is separate. It is noted that experience requirements for Assistant Supervisor Public Works and Supervisor Public Works is different, requiring heavy construction work. Residency was not a factor in eligibility, as this is not an opencompetitive examination, but the examination was open to employees in the Department of Public Works in Marlboro.

An independent review of all material presented indicates that the decision of the Division of Agency Services that appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. Appellant provides no basis to disturb this decision. Thus, appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

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 $31^{\rm st}$ DAY OF OCTOBER, 2018

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