



On appeal, the appellant argues that he has been doing the duties of a Communications Technician, working out-of-title, since 2008, and he provides a list of duties he has performed and a list of his knowledge, skills and abilities. In support, the appointing authority submits a letter verifying that the appellant has been performing the duties of a Communications Technician since 2008, and indicates that it would appoint the appellant should his name be added to the eligible list.

*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. *N.J.A.C.* 4A:4-2.6(c) provides in pertinent part that 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, unless good cause is shown for an exception.

### **CONCLUSION**

The appellant was correctly deemed ineligible for the subject examination since he lacked minimum requirements in experience per the substitution clause for education. The appellant possessed five months of applicable experience in his provisional positions, however, he did not put this position on his application. Nonetheless, the appointing authority has indicated that the appellant performed applicable out-of-title duties for at least three years while in the title Public Safety Telecommunicator. With the acceptance of this out-of-title work, the appellant possesses the required experience. The examination was not competitive, with no admitted candidates, and the appellant remains in his provisional position as a Communications Technician. Thus, based on the documentation submitted and under these circumstances, good cause exists to accept the appellant's out-of-title work experience to satisfy the requirements for the Communications Technician examination.

### **ORDER**

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.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 ON  
THE 27<sup>TH</sup> DAY OF MARCH, 2018



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