



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Thomas Yaegar,  
General Supervisor Parks  
(PM0940V), Freehold Township

CSC Docket No. 2018-1589

Examination Appeal

**ISSUED: April 2, 2018 (RE)**

Thomas Yaegar appeals the determination of the Division of Agency Services (Agency Services) which found that he did not meet the experience requirements for the promotional examination for General Supervisor Parks (PM0940V), Freehold Township.

The subject promotional examination had a closing date of July 21, 2017 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 who met the announced requirements. These requirements included three years of experience involving care and maintenance of large tracts of grounds including planting and care of shrubbery/flowers and use of grounds by a considerable number of people, one year of which shall have been in as supervisory capacity. The appellant was found to be below the experience requirements. As he was the sole applicant, the examination was cancelled December 8, 2017.

On his application, the appellant indicated one position, Maintenance Worker 3 Grounds from April 1996 to July 2017. Agency Services requested clarification of his positions, which he provided, but was not included by Agency Services in the file. Official records indicate that Yaeger was a provisional in the subject title from May 2017 to the July 2017 closing date; Maintenance Worker 3 Grounds from May 2016 to April 2017; Maintenance Worker 2 Grounds from December 2011 to April 2016; Senior Recreation Maintenance Worker from December 2008 to November 2011; and Recreation Maintenance Worker from April 1996 to November 2008. He was credited

with possession of three years of general experience, and seven months of supervisory experience, and found to be lacking five months of supervisory experience.

On appeal, the appellant indicates that he has extensive knowledge of the job and excels in his performance. He also states that he has been assisting since the retirement of another individual in January 2017. Peter R. Valesi, Township Administrator, verifies that since the retirement of the Maintenance Supervisor Grounds in January 2017, the appellant has been performing the supervisory duties required for the title under test.

### **CONCLUSION**

*N.J.A.C.* 4A:4-2.6(a)2 provides that an applicant shall meet all the requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that the Civil Service Commission may relax the rules for good cause in a particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In this matter, there were no admitted candidates and the appellant continues to serve in his provisional position. Since the July 2017 closing date, the appellant has accrued at least five months of additional supervisory experience in his provisional position. Additionally, Mr. Valesi confirms that the appellant has been performing the required supervisory duties since January 2017. Further, the appellant continues to serve permanently in the title under test and the examination was cancelled due to a lack of qualified applicants. As such, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a), and accept the appellant's experience after 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 ON  
THE 27<sup>TH</sup> DAY OF MARCH, 2018



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