

In the Matter of Deon Gallmon and Radcliffe Taylor Crew Supervisor	STATE OF NEW JERSEY
Building Maintenance Programs (PS4223I), Department of Corrections	FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION
CSC Docket Nos. 2017-3537 and 2017-3547	Examination Appeal
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ISSUED: MAY 7, 2018 (CSM)

Deon Gallmon and Radcliffe Taylor appeal the determinations of the Division of Agency Services (Agency Services) which found that they were below the minimum requirements in experience for the promotional examination for Crew Supervisor Building Maintenance Programs (PS4223I), Department of Corrections. These appeals have been consolidated due to common issues presented.

The examination at issue was announced with a closing date of January 23, 2017. The requirements were three years of experience in work involving the inspection, repair, and maintenance of household office, and buildings, including their equipment, appliances, machinery and furnishing. The subject examination was cancelled on May 12, 2017 due to a lack of qualified applicants.

Gallmon indicated on his application that he was serving provisionally in the title under test from May 2016 to the closing date, January 2017. From December 2014 to May 2016 he was a Senior Repairer and from November 2012 to December 2016 he was a Repairer. Agency Services credited him with two years and three months of experience based on his provisional service in the title under test and Senior Repairer, but determined that the remainder of his experience was not applicable. Therefore, he would need an additional nine months of experience to qualify for the examination.

Taylor indicated on his application that he was a Senior Repairer from September 2014 to the closing date, January 2017. From May 2011 to September 2014 he was a Repairer. Taylor also listed experience as a Service Technician with Sears Auto and Firestone Auto. Agency Services credited him with two years and five months of experience based on his service as a Senior Repairer, but determined that the remainder of his experience was not applicable. Therefore, he would need an additional seven months of experience to qualify for the examination.

On appeal, the appellants highlight their experience and maintain that they have been performing the required duties for three years. As such, they maintain that they should be admitted to the subject examination.

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:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purpose of Title 11A, New Jersey Statutes.

CONCLUSION

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellants were not eligible for the subject examination. As of the announced closing date, Gallmon only had two years and three months of the required experience and Taylor only had two years and five months of the required experience. However, the subject examination has been cancelled due to a lack of qualified applicants, Gallmon continues to serve provisionally in the title under test, and Taylor continues to serve in a title where the duties are at the level and scope required to establish eligibility for the subject examination. As such, good cause exists to accept the appellants' provisional experience and experience after the closing date and admit them to the subject examination. They now have more than three years of the required experience.

ORDER

Therefore, it is ordered that these appeals be granted, the examination cancellation be rescinded, and the appellants' applications 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 2nd DAY OF MAY, 2018

dendre' L. Webster Cabb

Deirdre L. Webster Cobb Chairperson Civil Service Commission

Inquiries and Correspondence

Christopher S. Myers Director Division of Appeals and Regulatory Affair Written Record Appeals Unit Civil Service Commission P.O. Box 312 Trenton, New Jersey 08625-0312

c. Deon Gallmon Radcliffe Taylor LaTonya Andrews Kelly Glenn Records Center