



STATE OF NEW JERSEY

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

In the Matter of Joseph Nickas,
Mechanic (PC2512V), Middlesex
County

Examination Appeal

CSC Docket No. 2018-3040

ISSUED: May 24, 2018 (RE)

Joseph Nickas appeals the determination of the Division of Agency Services that found that he did not meet the experience requirements for the promotional examination for Mechanic (PC2512V), Middlesex County.

The subject promotional examination had a closing date of November 21, 2017 and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title of Mechanics Helper OR 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 successful completion of one year of training in automotive technology at an accredited community college or vocational school and two years of experience in the maintenance and repair of various types of motor vehicles and/or construction equipment such as bulldozers, tractors, cranes, road graders, power shovels, or similar equipment. Applicants who did not possess one year of training in automotive technology could substitute one additional year of experience. The appellant was found to be below the experience requirements. One candidate was admitted, the list has been certified, and no appointments have yet been made.

On his application, the appellant listed three positions, Mechanics Helper, Mechanic with landscape maintenance, and Mechanic with Malouf Ford. As he did not indicate possession of one year of training in automotive technology, he was required to have three years of applicable experience. Official records indicate that he was provisionally appointed to Mechanic on June 2017. He received two years,

seven months of credit for his listed experience, and he was found to be lacking five months of qualifying experience.

On appeal, the appellant indicates that he should be eligible based on his experience, and he lists five positions, the three he listed on his application and two additional positions.

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:4-2.1(f) states that any supplemental information received after the closing date cannot be considered. *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 was only one admitted candidate and the appellant continues to serve in his provisional position. Since the closing date, the appellant has accrued five months of experience in his provisional position. 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 for prospective appointment only.

For the future, the appellant is cautioned to properly complete his application by listing each position that he wishes to have considered. As supplemental information received after the closing date cannot be considered, any positions described only on appeal cannot be considered. Even so, the appellant did not provide all requisite information for those positions, such information regarding full- or part-time hours or employer information. If the appellant expects to be found eligible he needs to properly complete future applications.

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 23rd DAY OF MAY, 2018

A handwritten signature in dark ink, reading "Deirdre' L. Webster Cobb". The signature is written in a cursive, flowing style.

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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and
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