



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE  
ACTION OF THE  
CIVIL SERVICE COMMISSION

Examination Appeal

In the Matter of Robert Sabol,  
Mechanic Diesel (PC0441V),  
Woodbridge

CSC Docket Nos. 2018-2833

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**ISSUED: May 24, 2018** (RE)

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Robert Sabol appeals the determination of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Mechanic Diesel (PC0441V), Woodbridge.

The subject examination announcement was issued with a closing date of May 22, 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 Mechanics Helper and who met the announced requirements OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title 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 installation, maintenance and repair of diesel engines. The appellant had the applicable training and was found to be ineligible based on a lack of applicable experience. There were four candidates on the eligible list, which was certified once, and three were appointed while one was removed.

The appellant listed one position on his application, Mechanics Helper from May 2012 to the closing date, May 2017. Although not indicated on his original application, agency records indicate that the appellant was a provisional Mechanic Diesel from March 2017 to May 2017 and a Laborer 1 from May 2012 to December 2016. The appellant was found to possess six months of applicable experience in his

provisional position and as a Mechanics Helper, and to be lacking one year, six months of experience.

On appeal, the appellant argues that he possesses the required training and experience, and he states that he has worked as a Mechanic for 25 years and has worked on diesel vehicles for the majority of his career. The appointing authority supports the appeal.

*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

Initially, the appellant was correctly denied admittance to the subject examination since he did not indicate on his application that he possessed the required in-title experience. In this regard, he did not list his experience as a provisional in the subject title and in the Laborer 1 title on his application. Further, performing the duties to establish eligibility for the title under test would be considered out-of-title work for incumbents in the Laborer 1 title. Nonetheless, the appellant has sent in clarifying information regarding the duties of his position, which indicated that he accrued at least an additional one years, six months of experience. Further, the eligible list is incomplete. The appointing authority wishes to make multiple appointments and therefore there is a basis for accepting out-of-title experience. As such, good cause exists to accept the clarification of the appellant's experience, and admit him to the subject examination. However, this remedy is limited to the facts of this situation and may not be used as precedent in any other proceeding.

One further note is required here regarding the appellant's application. The Commission makes official determinations of eligibility for all prospective candidates for positions in State or local Civil Service jurisdictions who are also required to pass a competitive examination and be certified in order to be considered for permanent employment in the competitive division of the career service. *See In the Matter of Jennifer Napoli* (MSB, decided February 24, 2004). Thus, the application is utilized to screen the candidate pool to ensure that applicants meet the minimum experience requirements for each position. Provisional appointees are not exempt from this screening process.

Instructions for completing the application state, “Carefully review your application to ensure that it is complete and accurate before submitting,” and “You must complete your application in detail. Your score may be based on a comparison of your background with the job requirements. Failure to complete your application properly may cause you to be declared ineligible or may lower your score if your application is your test paper.” Further, the applications states, “Employment Record: You may be declared ineligible or you may not receive proper credit for scoring purposes if you do not properly complete your application. If you held different positions with the same employer, list each position separately. Make sure you give full dates of employment (month/year), indicate whether the job was full or part time, and the number of hours worked per week. If you are currently employed in this position, enter the current month and year in the Employed To section. Since your application may be your only test paper, be sure it is complete and accurate. Failure to complete your application properly may cause you to be declared ineligible, lower your score, or possibly cause you to fail.” The Online Application System User Guide asks candidates to review the application to make sure the information is complete and accurate. It also states that, by clicking “yes” to make a payment and submit the application, the candidate is told that he or she is certifying that the application is complete and accurate.

The appellant did not properly complete his application. The appellant only indicated experience as a Mechanics Helper, and did not list his remaining positions. As such, there were no duties given on his application for the other titles, and he did not provide duties for each of his positions on appeal. He was admitted to this examination based on the clarification of his duties. However, he is cautioned, when filing applications in the future, to provide all requested information on an application, including separately listing duties for each of his positions.

### **ORDER**

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant’s application 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 23rd DAY OF MAY, 2018



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