



STATE OF NEW JERSEY

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

In the Matter of David Bandur,
Assistant Director of Maintenance
Services (PM0009W), Bayonne

Examination Appeal

CSC Docket No. 2018-3010

ISSUED: May 24, 2018 (RE)

David Bandur appeals the determination of the Division of Agency Services (Agency Services) that found that he did not meet the experience requirements for the promotional examination for Assistant Director of Maintenance Services (PM0009W), Bayonne.

The subject promotional examination had a closing date of January 22, 2018 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service in any competitive title as of the closing date and who met the announced requirements. These requirements included four years of experience in work involving the repair and construction of buildings at a large facility. The appellant was found to be below the experience requirements. As no candidates were admitted, the examination was cancelled on May 4, 2018.

On his application, the appellant listed three positions, provisional Assistant Director of Maintenance Services, Supervising Maintenance Repairer, Senior Maintenance Repairer, Maintenance Repairer, Building Maintenance Worker, and Maintenance Worker. He was credited with three months of qualifying experience for his provisional position, and found to be lacking three years, nine months of qualifying experience.

On appeal, the appellant indicates that he should be eligible as he has seven years of supervisory experience as a Supervising Maintenance Repairer. He states that the Bayonne Housing Authority is a large agency with about 1,400 apartments and numerous buildings and systems that require maintenance and repair. He

indicates that he directly supervises 30 employees in the maintenance and repair of these places.

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.

Initially, Agency Services correctly determined that the appellant did not meet the required experience as of the January 22, 2018 closing date. Nevertheless, in this matter, there were no admitted candidates and the appellant continues to serve in his provisional position. While construction of buildings was not a duty of the appellant's while in the Supervising Maintenance Repairer title, the Commission is satisfied that the totality of his experience from July 2010 forward warrants his admission to the subject examination. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a)2 and accept the totality of the appellant's experience to admit him to the subject examination. This determination is not to be used as a precedence in any other proceeding.

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



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