



STATE OF NEW JERSEY

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

In the Matter of Anthony Bonafede,
Senior Electrical Inspector (M0692V),
Newark

Examination Appeal

CSC Docket No. 2018-3102

ISSUED: July 23, 2018 (RE)

Anthony Bonafede appeals the determination of the Division of Agency Services (Agency Services) which found that he did not meet the minimum requirements in experience for the open-competitive examination for Senior Electrical Inspector (M0692V), Newark.

The subject examination had a closing date of September 5, 2017 and was open to residents of Newark City, and New Jersey, who possessed one year of experience in construction code enforcement involving the review and approval of plans of the appropriate class for electrical construction and renovation work or, in conducting electrical inspections to determine compliance with the State Uniform Construction Code. The appellant was found to be ineligible based on a lack of experience. One candidate appeared on the eligible list, which has been certified once but no appointments were made as the list was incomplete and a provisional was serving.

The appellant listed one position on his application, Senior Electrical Inspector from May 2017 to August 2017. He also provided a copy of a license, and Agency Services specifically noted that he did not provide a resume. Based on this information, he was credited with four months of experience, and he was appropriately found to be lacking eight months of applicable experience.

On appeal, the appellant states that he should be eligible, and he provides documents that he maintains were submitted with his application, including a resume. He was found to possess the required license. He indicates that he now possesses one year of experience.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

A review of the appellant's application reveals that the decision by the Agency Services, denying the appellant's admittance to the subject examination since he does not possess the required experience, was correct. He received credit for the experience listed on his application, and could not receive credit for experience not provided with his application. For any future positions in which he might be interested, the appellant is cautioned that he should complete his application and provide all requested information. While the appellant failed to follow basic instructions in filling out his application, the list is incomplete with one eligible, the appellant is still serving as a provisional appointee, and he has accrued at least an additional eight months of full-time experience since the September 2017 closing date. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.3(b) to accept the appellant's additional experience beyond the closing date and admit him to the examination for prospective appointment consideration.

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 18th DAY OF JULY, 2018



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