



STATE OF NEW JERSEY

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

In the Matter of Jiyaad Ali,
Assistant Supervisor Water Meter
Repairer (PM2312V), East Orange

CSC Docket No. 2018-3098

Examination Appeal

ISSUED: September 6, 2018 (RE)

Jiyaad Ali appeals the decision of the Division of Agency Services (Agency Services) which found that he did not meet the experience requirements for the promotional examination for Assistant Supervisor Water Meter Repairer (PM2312V), East Orange.

The subject examination announcement had a closing date of October 23, 2017 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Senior Water Meter Repairer, OR and to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any title and who met the announced requirements of possession of one year of experience in work involving repairing, calibrating, and inspecting water meters. The appellant was found to be below the minimum requirements in experience. The examination was canceled on May 4, 2018 since there were no eligible applicants.

On his application, the appellant listed two positions: Equipment Operator/Repairer from April 2014 to the closing date, and Water Meter Worker 2/Water Meter Repairer from January 2012 to April 2014. Official records indicate that the appellant was an Equipment Operator from December 2012 to the closing date, and a Laborer from May 2012 to November 2012. Any applicable experience would be out-of-title, and the appellant was found to be lacking one year of applicable experience.

On appeal, the appellant argues that he was hired as a Laborer, but was placed in the meter division where he has been for six years. He provides a list of duties involving water meter reading and repairing that he states he performed in the title of Equipment Operator.

CONCLUSION

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.

In this matter, Agency Services correctly determined that the appellant was ineligible for the subject examination. Any water meter repairing, calibrating, and inspecting would be considered out-of-title work for the incumbents in the Laborer 1 or Equipment Operator titles. Based on his appeal, the appointing authority was notified by Agency Services that the appellant was claiming that he worked out-of-title performing the duties required to establish eligibility for the title under test, and it opted not to support this claim. It is noted that on the appellant's application for the open competitive examination for Equipment Operator (M0725S), he indicated that he primarily performed the duties of a Laborer and Equipment Operator for the same period of time that he claims for the subject examination that he performed water meter reading and water meter repair duties. After submission of the appeal, the appointing authority was again notified by staff that the appellant claimed he was working out-of-title, and it did not respond. As such, a basis for accepting out-of-title experience has not been presented. In sum, the appellant lacks one year of applicable experience.

An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

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 5th DAY OF SEPTEMBER, 2018



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Jiyaad Ali
Soloman Steplight
Kelly Glenn
Records Center