



STATE OF NEW JERSEY

In the Matter of Eric Cvoliga,
Crew Supervisor, Building
Maintenance Programs (PS9485H),
Department of Health

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

CSC Docket No. 2020-1119

Examination Appeal

ISSUED: DECEMBER 6, 2019 (JET)

Eric Cvoliga appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Crew Supervisor, Building Maintenance Programs (PS9485H), Department of Health.

The subject examination was announced with specific requirements that had to be met as of the April 22, 2019 closing date. The requirements were three years of experience in work involving the inspection, repair and maintenance of household, office and buildings, including their equipment, appliances, machinery and furnishings. Only one candidate, the appellant, applied for the subject examination which resulted in the examination announcement being cancelled on October 24, 2019.

On his application, the appellant listed that he served provisionally in the subject title from June 2018 to the April 22, 2019 closing date, as an Assistant Head Grounds Worker from March 2016 to June 2018, as a Grounds Worker from September 2014 to March 2016, and as a Senior Building Maintenance Worker from October 2013 to September 2014. Agency Services credited him with one year and 11 months of applicable experience for his provisional work in the subject title and as a Senior Building Maintenance Worker. However, it did not credit him with any other applicable experience. Accordingly, Agency Services determined that the appellant lacked one year and one month of applicable experience.

On appeal, the appellant asserts, among other things, that as an Assistant Head Grounds Worker he supervised staff who performed grounds keeping duties, and he was responsible for preventative maintenance and repairing damaged equipment. Moreover, the appellant adds that he was responsible for the day-to-day operations of a service department, and his duties included servicing and repairing pool equipment and machinery. As such, the appellant maintains that he is qualified for the examination.

Official personnel records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular situation.

In the instant matter, Agency Services correctly credited the appellant with one year and 11 months of applicable experience for his provisional service in the subject title and service as a Senior Building Maintenance Worker. Upon further review of the appellant's experience listed on his application and on appeal, the Civil Service Commission is satisfied that the appellant also performed sufficient applicable duties while serving as an Assistant Head Grounds Worker, notwithstanding that such applicable duties did not constitute the primary focus of his position. Additionally, the appellant continues to serve provisionally in the title under test and the situation is not competitive as the appellant was the only applicant for the examination. Under these circumstances, with the inclusion of his Assistant Grounds Worker experience as described and his provisional experience gained after the closing date, he should be admitted to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination announcement 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 4th DAY OF DECEMBER, 2019



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