

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Domenico Sacca, Road Repairer 2/Sign Maker 2 (PM2458W), Elizabeth

Examination Appeal

CSC Docket No. 2019-3585

ISSUED: AUGUST 16, 2019 (HS)

Domenico Sacca appeals the determination of the Division of Agency Services (Agency Services), which found that he did not meet the experience requirement for the promotional examination for Road Repairer 2/Sign Maker 2 (PM2458W), Elizabeth.

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The subject examination was announced with a closing date of November 21, 2018 and was open to employees who completed a vocational, technical or specialized training program in graphic arts, graphic and printing communications or graphic arts technology; possessed two years of experience in work involving sign design, layout and lettering, or graphic arts (sign maker experience); and possessed two years of experience in the cleaning, maintenance and repair of roads or streets which may include work involving the installation and maintenance of traffic lines and signs (road repairer experience). Applicants who did not possess the required education could substitute one year of additional sign maker experience. The appellant was one of three applicants for the subject promotional examination, which was cancelled as all applicants were deemed ineligible.

On his application, the appellant indicated his experience as a Graphic Designer/Technical Illustrator from June 1987 to November 1992. The appellant had also uploaded to the Online Application System a copy of his City of Elizabeth employee badge indicating his job title of Road Repair Supervisor. Agency Services

¹ Personnel records indicate that the appellant has been employed as a Road Repair Supervisor with Elizabeth since 2012.

determined that the appellant possessed sufficient sign maker experience but lacked the required two years of road repairer experience. Therefore, Agency Services deemed the appellant ineligible since he did not meet the experience requirement set forth in the announcement.

On appeal to the Civil Service Commission, the appellant notes that he is employed as a Road Repair Supervisor, and in that role, installs and maintains traffic lines and signs, paints guardrails and erects posts.

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.

Agency Services correctly determined that the appellant was initially not eligible for the subject examination. In this regard, a review of his application reveals that he lacked two years of road repairer experience. On appeal, the appellant states that his experience as a Road Repair Supervisor with Elizabeth is applicable and therefore, he possesses sufficient experience. In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. See In the Matter of Bashkim Vlashi (MSB, decided June 9, 2004). The amount of time, and the importance of the duty, determines if it is the primary focus. An experience requirement that lists a number of duties which define the primary experience, requires that the applicants demonstrate that they primarily performed all of those duties for the required length of time. Performance of only one or some of the duties listed is not indicative of comprehensive experience. See In the Matter of Jeffrey Davis (MSB, decided March 14, 2007). In this matter, the appellant provides clarifying information regarding his duties as a Road Repair Supervisor. clarifying information is permitted pursuant to N.J.A.C. 4A:4-2.1(g). Specifically, the appellant notes that in his role as a Road Repair Supervisor, he installs and maintains traffic lines and signs, paints guardrails and erects posts. Given that the appellant has been employed as a Road Repair Supervisor since 2012, he possesses sufficient road repairer experience and meets the experience requirement for the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded, and the appellant's application be processed for prospective employment opportunities.

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 14^{TH} DAY OF AUGUST, 2019

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Chairperson

Civil Service Commission

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