



STATE OF NEW JERSEY

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

In the Matter of William Allen,
Mechanic (PM2088W), Little Egg
Harbor Township

Examination Appeal

CSC Docket No. 2019-2490

ISSUED: JANUARY 16, 2020 (ABR)

William Allen 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 Mechanic (PM2088W), Little Egg Harbor Township.

The subject examination was open, in part, to employees serving in the non-competitive title of Mechanics Helper who successfully completed one year of training in automotive technology at an accredited community college or vocational school and possessed two years of experience in the maintenance and repair of various types of motor and/or construction equipment such as bulldozers, tractors, cranes, road graders, power shovels or similar equipment as of the July 23, 2018 closing date. The subject examination was cancelled after the appellant, the only applicant, was deemed ineligible.

On his application, the appellant stated that he possessed a high school diploma or General Educational Development (GED) certification. However, he did not indicate that he completed an applicable automotive technology training program. Therefore, pursuant to the substitution clause for training, he needed to possess three years of the required experience. With regard to his experience, he stated that he served as a Mechanic from June 2008 to the closing date (July 2018). However, a review of agency records indicated that he served provisionally as a Mechanic from April 2016 to the closing date, as a Mechanics Helper from January 2016 to April 2016 and as a Laborer 1 from June 2009 to January 2016. Agency Services credited the appellant with two years and seven months of applicable

experience based upon his experience as a provisional Mechanics Helper and as a Mechanic. However, Agency Services determined that his experience as a Laborer 1 did not constitute applicable experience for the subject examination. Therefore, because he did not possess an additional five months of applicable experience, he was deemed ineligible for the subject examination.

On appeal to the Civil Service Commission (Commission), the appellant states that he possesses a total of 26 years of experience performing maintenance on cars, light and heavy trucks, and construction equipment as a Mechanic in both the private and public sector. He states that in his current position he maintains and repairs Little Egg Harbor Township's fleet of civilian and police vehicles, trucks, and construction equipment.

Agency records indicate that the appellant was returned to his permanent title of Mechanics Helper, effective March 12, 2019, and that he continues to serve in that title.

CONCLUSION

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

Initially, it is noted that Agency Services correctly credited the appellant with two years and seven months of applicable experience based upon the experience he listed in his application. However, a review of the record shows that the appellant possesses the required additional five months of applicable experience based upon his post-closing date service as a provisional Mechanic. Additionally, the record indicates that the examination situation is not competitive, as the subject examination was cancelled after the appellant, the only applicant, was deemed ineligible. In this regard, *N.J.A.C.* 4A:1-1.2(c) provides that the Commission may relax a rule for good cause in a particular situation. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a)2 and accept the appellant's provisional experience after the closing date, for eligibility purposes only, and admit him to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted 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 15TH DAY OF JANUARY, 2020

Deirdre' L. Webster Cobb

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