



STATE OF NEW JERSEY

In the Matter of George Edwards,
Motor Broom Driver (PM0748A),
Clifton

CSC Docket No. 2020-1438

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

Examination Appeal

ISSUED: January 16, 2020 (RE)

George Edwards appeals the determination of the Division of Agency Services (Agency Services) which found that he did not meet the experience requirements for the promotional examination for Motor Broom Driver (PM0748A), Clifton.

The subject examination announcement was issued with a closing date of June 21, 2019, and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Laborer 1 and who met the requirements OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who met the announced experience requirements. These requirements included one year of experience in driving a truck or in driving motorized lifting and moving, sweeping, excavating, grading, paving, earth moving or related construction vehicles. Satisfactory completion of a formal training program or course in the operation and maintenance of construction equipment could be substituted for the above work experience. The appellant was found to be below the minimum requirements in experience. As there were no admitted candidates, the examination was cancelled on November 22, 2019.

The appellant was determined to be ineligible for the examination as he did not complete his application. Specifically, no experience had been submitted. The online application process is automated and provides instructions to candidates on how to properly complete their applications. When an applicant clicks on the payment tab to submit their online application and they have not provided any

experience, they receive a warning message. If the applicant does want to provide experience, they must click 'Yes' to return to the experience section before submitting their application. If they do not have any experience to report, they click 'No' to complete and submit their application. The note on the appellant's application indicates that "during the application creation process, employment information was not entered into the experience section." If additional documents were provided by the closing date, this information is reviewed in determining eligibility.

As the appellant had no experience on his application, he was found to be lacking one year of applicable experience. It is noted that official records indicate that the appellant was a Laborer 1 from December 2007 to the June 2019 closing date.

On appeal, the appellant provides a lengthy list of duties that he has performed in his Laborer 1 position. These duties included the following:

Daily drive/operate roll off truck with asphalt hot box. Set temperature for heating asphalt, tacking and soaking solvent for operation. Fill potholes throughout the city using whacker/roller. Assist in driving and set up of paving box for spreading asphalt over large areas. Change roll off body from hot box to salt body when needed. Drive diesel engine manual transmission 80,000lb (gvw) tandem dump truck to deliver asphalt and spread asphalt using paving box. Haul tree trunks, dirt, sand, mulch, rocks etc., using tandem dump trucks. Operate roll off with open end box with heavy duty diesel powered wood chipper in tow. Set up/operate heavy duty wood diesel powered chipper. Operate gas/manual pruning saw for tree trimming. Drive in tow with diesel powered big grinder stump remover. Set up/operate diesel powered big grinder stump remover. Drive/operate spreader and/or plow with small dump truck for salting/plowing during snow storms. Operate snow blower on sidewalks and overpasses. Operate giant vacuum/backpack blower for leaf pick up. Operate weed whacker for cutting and trimming of grass. Operate forklift for loading/unloading pallets and other materials [into] trucks/garage. Drive/operate large and small packer trucks with PTO to retrieve recyclables/garbage/tree branches. Trained on motor broom learning fire hydrant hook up for water supply replenishment and cleaning. Operated motor broom.

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.

Initially, Agency Services correctly found the appellant to be ineligible for the subject examination since, according to his application, he lacked the required experience. The online application process is automated and provides instructions to candidates on how to properly complete their applications. Also, the application states that, by clicking “yes,” the applicant certified that the employment history was complete and accurate. The On-Line Application System User’s Guide cautions applicants to carefully review the application to ensure that it is complete and accurate before submitting, and to complete the application in detail. It states that failure to complete the application properly may cause the applicant to be declared ineligible. The instructions under the experience portion of the applications advise applicants to provide **all** employment information (not just current employment information), and if they have multiple positions, they need to make sure that they provide each one separately. The appellant should follow these instructions and properly complete any future applications for examinations.

In the instant matter, while the appellant’s Laborer 1 position was not listed on his application, and the examination was cancelled. While the appellant was not solely involved in driving a truck or in driving motorized lifting and moving, sweeping, excavating, grading, paving, earth moving or related construction vehicles, he accrued at least one year of applicable experience in his twelve years as a Laborer 1. As such, good cause exists to relax the provisions *N.J.A.C.* 4A:4-2.6(a) to accept this experience and admit the appellant to the examination.

The appellant is cautioned to complete any future application in his own words, and to follow instructions and list all applicable positions and include all pertinent information for each.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded, and the appellant’s application be processed as soon as possible.

This 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



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