



STATE OF NEW JERSEY

In the Matters of Christopher Ford
and Lawrence Winchell, Parks
Maintenance Specialist 2 (PS5843G),
Department of Environmental
Protection

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

CSC Docket Nos. 2018-2973 and
2018-3104

Examination Appeal

ISSUED: JANUARY 31, 2020 (JET)

Christopher Ford and Lawrence Winchell appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirement for the promotional examination for Parks Maintenance Specialist 2 (PS5843G), Department of Environmental Protection. These matters have been consolidated as they involve similar issues.

The subject examination was announced with specific requirements that had to be met as of the October 23, 2017 closing date. The requirements were two years of experience in buildings and grounds maintenance which shall have included semi-skilled carpentry, painting, electrical, plumbing, masonry, mechanical and/or other related work. It is noted that four candidates were admitted to the subject examination. The resultant eligible list, which promulgated on April 5, 2018 and expires on April 4, 2021, was certified once, and two appointments were made.

A review of Ford’s application reveals that he served as a Maintenance Worker 1 from December 2015 to the October 23, 2017 closing date, as a Forestry Assistant from July 2015 to December 2015, as a Geographic Information Systems Specialist from June 2014 to July 2015, and as a Visitor Service Assistant from May 2011 to June 2014. Agency Services credited him with one year and 11 months of applicable experience for his service as a Maintenance Worker 1. However, it did not credit him with any other applicable experience. Accordingly, Agency Services determined that the appellant lacked one month of applicable experience.

A review of Winchell's application reveals that he served as a Maintenance Worker 1 from February 2016 to the October 23, 2017 closing date, as a Customer Service Representative from September 2014 to February 2016, as a Seasonal Maintenance Worker 1 from September 2015 to November 2015, as a Plant Operator from July 2010 to September 2014, and as a Seasonal Park Ranger from June 2008 to August 2010. Agency Services credited him with one year and nine months of experience for his work as a Maintenance Worker 1. However, it did not credit him with any other applicable experience. Accordingly, Agency Services determined that the appellant lacked three months of applicable experience.

On appeal, the appellants assert, among other things, that they possess sufficient experience to qualify for the examination.

It is noted that the appellants continue to serve as Maintenance Workers 1.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) 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.

Initially, it is noted that Agency Services properly credited Ford with 1 year and 11 months of applicable experience and Winchell with one year and nine months of applicable experience based on their service as Maintenance Workers 1. Since the record reflects that the appellants continue to serve in that title, they now possess sufficient applicable experience based on this service. Additionally, the situation is not competitive as only two candidates remain on the list. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the appellants' experience accrued after the closing date, for eligibility purposes only, and to admit them to the examination.

ORDER

Therefore, it is ordered that these appeals be granted and the appellants' applications 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 29th DAY OF JANUARY, 2020



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