



STATE OF NEW JERSEY

In the Matter of Jay-Anthony
Giuricich, Institutional Trade
Instructor 2, Carpentry (PS9046P),
Department of Law and Public Safety

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

CSC Docket No. 2020-368

Examination Appeal

ISSUED: JANUARY 31, 2020 (JET)

Jay-Anthony Giuricich appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Institutional Trade Instructor 2, Carpentry (PS9046P), Department of Law and Public Safety.

The promotional examination was announced with specific requirements which had to be satisfied by the January 22, 2019 closing date. The requirements were three years of experience in carpentry. The examination was cancelled on August 2, 2019 as the two applicants, including the appellant, were found ineligible for the examination.

The appellant listed on the application for the subject examination that he served provisionally in the subject title from March 2018 to the January 22, 2019 closing date, and as a part-time Laborer from May 2009 to October 2011, a part-time Laborer from June 2008 to October 2011, a Laborer from May 2005 to May 2009, a Summer Worker Crew Leader from June 2003 to May 2005, and as a Summer Work Crew from June 2000 to June 2003. Agency Services credited the appellant with applicable experience for his provisional service in the subject title. However, it did not credit him with any other applicable experience. Accordingly, Agency Services determined that the appellant was ineligible for the examination as he lacked two years and one month of experience.

On appeal, the appellant asserts, among other things, that his experience from 2000 to 2011 includes spackling, brown coating, patching drywall, painting, utilizing various tools, teaching crew workers, framing basements, residential carpentry, and installing trim, crown molding, raised paneling, chair rails, double sash windows, plywood, insulation, doors, roofs, siding, gutters, handrails, plaster, studs, and rafters. He adds that he participated in the full renovation of a home including removing the walls, roof, second floor, and reconstructing the home. The appellant adds that he was assigned to complete carpentry projects for Warren Residential Facility, and he has created a border for a raised picnic area while serving in the subject position. As such, the appellant maintains that he possesses sufficient experience to qualify for the examination.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the present matter, the appellant should be admitted to the subject examination. Although the appellant's experience in his various positions does not precisely mirror the required experience, the Commission is satisfied that the totality of his experience satisfies the announced requirements. Given that the appellant possesses experience involving in work involving carpentry, this experience clearly qualifies him for the examination. Additionally, the appellant continues to serve provisionally in the title under test and the examination was cancelled due to a lack of applicants. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the totality of the appellant's experience, including experience after the closing date, for eligibility purposes only, and to admit him to the 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 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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