



STATE OF NEW JERSEY

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

In the Matter of Lawrence Schaffer,
Cook-12 months (PS5652K),
Woodbine Developmental Center

Examination Appeal

CSC Docket No. 2020-1970

ISSUED: May 1, 2020

(SLK)

Lawrence Schaffer appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Cook-12 months (PS5652K), Woodbine Developmental Center.

The examination at issue was announced open to those with one year of continuous permanent service as a Senior Food Service Handler or Senior Food Service Worker and who met specific requirements as of the September 23, 2019 closing date. The requirements for the subject examination were one year of experience as a cook involving the preparation of a variety of food in large quantities. A total of three employees applied for the subject examination and two were determined eligible. Certification PS200106 was issued containing the two eligibles and both were appointed. The list expires on January 15, 2023.

Personnel records indicate that the appellant was a Senior Food Service Handler for more than one year prior to the September 23, 2019 closing date. Agency Services determined he was not eligible as his application was incomplete since he did not list any experience.

On appeal, the appellant presents that he was a Senior Food Service Worker from August 2015 to February 2017 and a Senior Food Service Handler from

February 2017 through the present. He describes in detail how his work involves meal preparation for approximately 300 residents.

CONCLUSION

N.J.A.C. 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination as he did not list any experience on his application. On appeal, the appellant demonstrated that he has more than one year of the required experience. However, the importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Agency Services can make the initial determination whether to admit or reject an applicant. Agency Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner.

Although *N.J.A.C.* 4A:4-2.1(f) proscribes the amendment of an application after the closing date set in the announcement, the Civil Service Commission (Commission) notes circumstances present that provide good cause to permit the appellant to amend his application in this particular matter. Specifically, there are currently no names on the subject eligible list. Further, the Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communications Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998). In this regard, the Commission finds that the appellant has demonstrated that he has the required experience, which, based on the circumstances presented, warrants his admission to the subject examination. Accordingly, good cause is established to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and admit the appellant.

The Commission cautions the appellant that, in the future, he should ensure that any applications are fully and completely filled out as his failure to do so will be cause for rejection from the selection process. Finally, this determination is limited to the instant matter and does not provide precedent in any other matter.

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ORDER

Therefore, it is ordered that the 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 29TH DAY OF APRIL , 2020



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