

STATE OF NEW JERSEY

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

In the Matter of Stephen Semancik,
Equipment Operator (PM1597A),
Garfield

Examination Appeal

CSC Docket No. 2020-2408

ISSUED: JUNE 5, 2020 (SLK)

Stephen Semancik appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination competitive examination for Equipment Operator (PM1597A), Garfield.

The experience requirements were one year of experience in the operation and maintenance of construction and maintenance equipment by the November 21, 2019 closing date. A total of eight employees applied for the subject examination and five were deemed eligible. Additionally, agency records indicate that there are currently five provisional appointees, including the appellant, and the appointing authority indicated that it intends to appoint five employees to the subject title, including the appellant. Certification PL200437 was issued on May 4, 2020 and its disposition is due November 4, 2020. The list expires on March 25, 2023.

On his application, the appellant indicated that he was serving provisionally in the subject title from May 2019 to the November 21, 2019 closing date. Personnel records indicate that the appellant was also a Truck Driver from June 2007 to May 2019 and a Laborer 1 from June 1999 to June 2007. Agency Services credited him with having seven months of experience based on his provisional service in the subject title, but determined that he lacked five of the required experience.

On appeal, the appellant states that he mistakenly did not indicate on his application that he started employment with the appointing authority in June 1999. He also attaches a record of his pay as a Truck Driver for 2018.

CONCLUSION

N.J.A.C. 4A:4-2.1(g) provides that the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted.

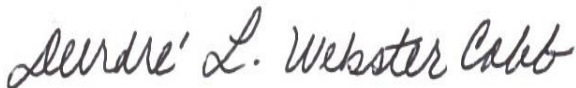
In this matter, initially Agency Services correctly determined that the appellant was not eligible for the subject examination as he only indicated that he had seven months of experience based on his provisional service in the subject title. However, on appeal the appellant indicates that he started employment with the appointing authority in 1999. Further, he attaches his pay as a Truck Driver¹ in 2018 to indicate that he has more one year of experience performing the required duties as a Truck Driver. Moreover, personnel records confirm that the appellant has been a Truck Driver since June 2007. Therefore, the Commission finds that the appellant has sufficiently clarified that he has been performing the required duties for more than the required time by the closing date. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004). However, the Commission cautions the appellant to ensure that he completely fills out any future examination applications as failure to do so may lead to his ineligibility.

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 DAY 3RD OF JUNE, 2020



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

¹ The examination was also open to employees with one year of continuous permanent service as a Truck Driver by the November 21, 2019 closing date and who met the experience requirements.

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