



STATE OF NEW JERSEY

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

In the Matter of William Parkinson,
Coordinator of Maintenance Services
(PC1733A), Hudson County

Examination Appeal

CSC Docket No. 2021-454

ISSUED: JANUARY 22, 2021 (SLK)

William Parkinson appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Coordinator of Maintenance Services (PC1733A), Hudson County.

The subject examination’s closing date was December 23, 2019. The experience requirements were four years of experience in work involving the construction, repair and maintenance of buildings, one of which shall have been in a supervisory capacity. A total of two employees applied for the subject examination and both were determined ineligible. Consequently, the examination was cancelled due to a lack of qualified applicants.

On his application, the appellant indicated that he was provisionally serving in the subject title from January 2019 to the December 23, 2019 closing date. Personnel records indicate that he was provisionally serving in the subject title from August 2018 to the closing date and a Superintendent of Public Works for West New York from February 2007 to May 2011. Agency Services did not credit the appellant with having any of the required experience.

On appeal, the appellant states that he was a Superintendent of Public Works for four years and a Supervisor of Maintenance with the appointing authority for nine years. He describes how he performed the required duties in these positions.

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: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) 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.

Initially, Agency Services correctly determined that the appellant was not eligible as he did not clearly demonstrate that he was performing the required duties while serving provisionally in the subject title and he did not indicate on his application his prior experience as a Superintendent of Public Works for West New York. However, on appeal, the appellant sufficiently clarified his provisional service in the subject title demonstrating that he performed the required duties in this title. Additionally, he amended his application to indicate that he also performed the required duties as a Superintendent of Public Works for West New York, which provides him the required experience.

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 circumstances present in this matter provide good cause to permit the appellant to amend his application. Specifically, the eligible list was cancelled due to a lack of qualified candidates. 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 for the subject title by the closing date, 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.

It is also noted that although the appellant indicates on appeal that he has worked for the appointing authority for the past nine years, other than his provisional service in the subject for over two years, his personnel records do not indicate this. If this is so, the appointing authority is directed to update the appellant's County and

Municipal Personnel Systems (CAMPS) record to accurately reflect his employment with the appointing authority.

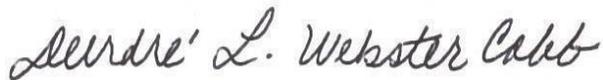
Finally, this determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the 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 20^H DAY OF JANUARY 2021



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