

supervisor or lead worker within a road crew. The incumbent Equipment Operator assists with oversight of projects and manpower, and has direct responsibility for work in the absence of a supervisor. In support of the appeals, the appointing authority states that it used the title of a Equipment Operator as the lead worker in the crew structure of the County Road Division, and it requests that this out-of-title work be accepted.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides in pertinent part that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception.

Initially, the appellants were correctly deemed to be ineligible for the subject examination since they lacked the minimum requirements in lead worker experience. However, the appointing authority has verified out-of-title work for each of the applicants, who have one year of time in grade as an Equipment Operator. It states out-of-title duties supervising road team workers are duties of an Equipment Operator. With the acceptance of this out-of-title work, the appellants possess the required lead worker experience. Thus, based on the documentation submitted and under these circumstances, good cause exists to accept this out-of-title work experience to satisfy the requirements for the Road Repair Supervisor examination.

ORDER

Therefore, it is ordered that these appeals be granted and the appellants' applications be processed.

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 17TH DAY OF FEBRUARY, 2021

Deirdre L. Webster Cobb

Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

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