



STATE OF NEW JERSEY

In the Matter of John McElhaney,
Sign Maker 3 (PC2197B),
Middlesex County

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

CSC Docket No. 2021-1051

Examination Appeal

ISSUED: MARCH 5, 2021 (JET)

John McElhaney appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Sign Maker 3 (PC2197B), Middlesex County.

The promotional examination was announced with specific requirements which had to be satisfied by the February 21, 2020 closing date. The pertinent requirements were completion of a vocational, technical or specialized training program in graphic arts, graphic and printing communications, or graphic arts technology, and three years of experience in work involving sign design, layout, and lettering, or graphic arts. It was noted that applicants who did not possess the required education could have substituted an additional one year of applicable experience. The examination was cancelled on January 18, 2021 as the only applicant, the appellant, was found ineligible for the examination.

The appellant listed on the subject application that he possessed a high school diploma, and that he served as a Senior Traffic Maintenance Worker from July 2000 to the February 21, 2020 closing date. Personnel records reflect that he served as a provisional Sign Maker 3 from November 1, 2019 to the closing date, and as a Senior Traffic Maintenance Worker from April 24, 2017 to November 1, 2019. Prior to that he served as a Truck Driver from April 2005 to April 2017 and a Laborer from July 2000 to April 2005.¹ The appellant listed his duties as designing signs using the Sign

¹ The appellant is cautioned that, in the future, he fully and accurately complete the experience section of the examination application.

Flex Program, making signs using HP Latex 365 Plotter, leading a team of workers to install signs, setting up safe job sites, keeping records of all work done and tools/materials used for making and installing signs, and painting, measuring, documenting and calling in utility mark outs. Agency Services determined that the duties listed by the appellant were not creditable as they constituted out-of-title work experience. Accordingly, Agency Services determined that the appellant was ineligible for the subject examination.

On appeal, the appellant asserts, among other things, that he possesses sufficient experience to qualify him for the examination. In support, he provides a letter from his immediate supervisor, John Haley, Sign Maker 4, Office of Public Works, Department of Transportation, Middlesex County, who states that the appellant possesses 12 years of applicable experience. Specifically, Haley confirms that the appellant's duties during that time include drawing graphic materials; designing lettering; setting up fabrication equipment; designing sign layout and lettering from wood, plastic and reflective metal; estimating the time and material with respect to designing signs; operating power tools; providing technical advice to other employees; utilizing layout techniques; completing precise measurements for graphic designs; utilizing metal cutting techniques; designing and installing post signs, pole signs and overhead traffic light signs; proofreading information and following directions; checking inventory; and keeping records of designed signs and completed.

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:4-2.6(c) provides that, except when permitted for good cause, 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.

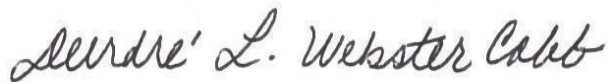
In the present matter, the appellant should be admitted to the subject examination. While any applicable experience the appellant may have accrued as a Senior Traffic Maintenance Worker and Truck Driver would be considered out-of-title, the appellant has presented documentation from his direct supervisor that he has indeed performed such duties for 12 years. Additionally, the appellant continues to serve provisionally in the title under test. Moreover, the examination has been cancelled and there are no other applicants. Under these circumstances, good cause exists to accept the appellant's out-of-title experience, for eligibility purposes only, and 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 3RD DAY OF MARCH, 2021



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