



STATE OF NEW JERSEY

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

In the Matter of Brian Caruso,
Sewer Repairer 1/Water Repairer 1
(PM2850B), Freehold Township

CSC Docket No. 2021-1847

Examination Appeal

ISSUED: JULY 26, 2021 (RE)

Brian Caruso appeals the determination of the Division of Agency Services which found that he did not meet the minimum requirements in experience for the promotional examination for the “dual” title Sewer Repairer 1/Water Repairer 1 (PM2850B), Freehold Township. A dual title is a title that combines two separate titles into one classification; applicants need to meet the minimum requirements of *both* titles in order to be declared eligible.

The subject examination had a closing date of October 21, 2020 and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the title Laborer 1 who met the announced requirements OR and to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title who met the announced requirements. These requirements were one year of experience in sewer installation or repair work and/or in varied plumbing work and/or in the operation and maintenance of sewer maintenance equipment OR one year of experience as a laborer in a public works department (for Sewer Repairer 1) *AND* one year of experience in the installation, repair, and maintenance of water mains, pipes, valves, hydrants, and other water service equipment and/or in the operation of water treatment plant apparatus and/or in varied plumbing work OR one year of experience as a laborer in a public works department (for Water Repairer 1). As there were no admitted applicants, the examination was canceled on June 10, 2021.

On his application, the appellant listed one position, Laborer 1, from April 2018 to the October 2020 closing date. He was credited with one year, six months of applicable experience and was found to be lacking six months of experience as a Laborer 1.

On appeal, the appellant argues that he has the required experience.

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:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

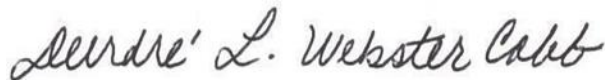
Initially, the appellant was correctly found ineligible for the subject examination. However, in this case, the examination was cancelled, the appellant continues to serve provisionally in the title under test, and he has accrued at least six months of experience as a provisional in the subject title since his appointment. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) to accept the appellant's additional experience in his provisional position beyond the closing date, and admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application 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 21ST DAY OF JULY, 2021



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