



STATE OF NEW JERSEY

In the Matter of James Bonanno,
Supervising Planner, Transportation
(M0220C), Asbury Park

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

CSC Docket No. 2022-500

Examination Appeal

ISSUED: JANUARY 21, 2022 (SLK)

James Bonanno appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Supervising Planner, Transportation (M0220C), Asbury Park.

The subject examination’s closing date was July 21, 2021. The education requirements were a Bachelor’s degree including or supplemented by 21 semester hour credits in professional planning subjects such as the principles of land use planning, history of city planning, planning project design, and planning law and administration. A license as a Professional Planner, issued by the New Jersey State Board of Professional Planners was also required. The experience requirements were four years of experience in a planning discipline, one year of which shall have involved transportation planning, and one year of which shall have included supervisory responsibilities. A Master’s degree in Planning could have been substituted for one year of the general, non-supervisory experience. The appellant was the only applicant and the examination was cancelled due to a lack of qualified candidates.

On the appellant’s application, he indicated that he possessed a Bachelor’s degree in Urban and Regional Planning and a Master’s degree in Transportation Planning. He also indicated that he was a Transportation Planner from September 2015 to January 2021 and a Research Assistant for Voorhees Transportation Center from April 2014 to August 2015. Personnel records indicate that the appellant was provisionally appointed in the subject title from February 2021 to the July 21, 2021 closing date, a Senior Planner from October 2017 to January 2021 and an Assistant

Planner from September 2015 to October 2017. Agency Services credited the appellant with having met the education requirement, the license requirement, and the four years of experience in a planning discipline, one year of which shall have involved transportation planning, but determined that he lacked the one year of supervisory experience.

On appeal, in addition to highlighting his experience that was indicated on his application, the appellant describes in detail his experience while provisionally serving in the subject title, including his supervisory experience.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination 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 present his provisional service in the subject title on his application and his application did not indicate that he had the required supervisory experience. However, on appeal, the appellant describes how he performed the required supervisory experience while serving provisionally in the subject title since February 2021. 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, agency records indicate that the subject examination was cancelled due to a lack of qualified candidates. Additionally, personnel records indicate that the appellant continues to provisionally serve in the subject title and has gained the required supervisory experience after the closing date. 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). Therefore, the Commission finds good cause under *N.J.A.C.* 4A:1-1.2(c) to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and *N.J.A.C.* 4A:4-2.1(f) and accept the appellant's amended application and supervisory experience gained after the closing date, for eligibility purposes only, and admit him to the subject examination.

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

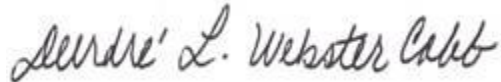
cause for rejection from the selection process. This determination is limited to the instant matter and does not provide precedent in any other matter.

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 19TH DAY OF JANUARY, 2022



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