



STATE OF NEW JERSEY

In the Matter of Daniel Nevins,
Mechanic (C0027C), Sussex County

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

CSC Docket No. 2022-870

Examination Appeal

ISSUED: (SLK)

Daniel Nevins appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the open competitive examination for Mechanic (C0027C), Sussex County.

The subject examination’s closing date was February 22, 2021. The training requirement was successful completion of one year of training in automotive technology at an accredited community college or vocational school. The experience requirement was two years of experience in the maintenance and repair of various types of motor vehicles and/or construction equipment such as bulldozers, tractors, cranes, road graders, power shovels, or similar equipment. Applicants who did not possess the required formal training could have substituted one additional year of experience. A total of five individuals applied for the subject examination and one was found ineligible. Certification OL210778 was issued containing the name of the one eligible, who was appointed. The list expires on August 25, 2024.

On the appellant’s application, he indicated that he completed training in automotive technology from an accredited school. He also indicated that he was provisionally serving in the subject title from February 2020 to the February 22, 2021 closing date. Agency Services credited the appellant for having the required training and one year and one month of experience, but determined that he lacked 11 months of experience.

On appeal, the appellant states that in addition to having the required training, he also has more than 10 years of experience. Specifically, he presents that prior to working for the appointing authority, he was a Fleet Mechanic for Rowmat Inc., from 2015 to 2020, a Fleet Mechanic for State Shuttle from 2011 to 2015, and a

Mechanic for Motion Lincoln Mercury from 2009 to 2011. Additionally, he describes how he performed the required duties working in these positions.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive 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 present his entire work history on his application as he only indicated experience from February 2020 to the February 22, 2021 closing date. However, the appellant describes on appeal how he has performed the required duties in various positions since 2009. 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, there are currently no names on the eligible list. 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:4-2.1(f) to accept his experience dating back to 2009, 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, 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

Deirdre' L. Webster Cobb

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