



STATE OF NEW JERSEY

In the Matter of Karlson Hughes,
Safety Inspector (C0729C), Cape May
County

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

CSC Docket No. 2022-3062

Examination Appeal

ISSUED: August 24, 2022 (SLK)

Karlson Hughes 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 Safety Inspector (C0729C), Cape May County.

The subject examination’s closing date was December 21, 2021. The experience requirements were four years of experience in the construction, repair, or inspection of buildings and/or mechanical equipment in the industrial, mercantile, manufacturing, or recreational industry. Applicants who did not possess the required experience could have substituted college credits on the basis of 30 semester hours for each year of experience up to a maximum of two years. The semester hours were limited to mathematics, sciences, engineering subjects, and/or statistics. A total of four individuals applied and one was found eligible. Certification OL220501 was issued indicating that the one eligible was retained on the list as no appointments were made. The list expires on April 27, 2025.

On the appellant’s application, he indicated that he had 61 college credits. He also indicated that he was an Institutional Fire Chief for Ancora Psychiatric Hospital (Ancora) from April 2002 to October 2016, an Aircraft Rescue Firefighter for the Morristown Airport Fire Department, an Emergency Medical Technician for Woodbine Developmental Center (Woodbine) from April 1998 to November 1999, a Police Officer for the West Cape May Police Department from August 1990 to October 1991, and a Special Law Enforcement Officer, Class 2 for the Wildwood Police

Department from July 1988 to August 1990. Personnel records indicate that he was provisionally serving in the subject title for Cape May County (County) from April 2021 to the closing date, an Institutional Fire Chief for Ancora from November 2008 to September 2016, an Assistant Institutional Fire Chief for Ancora from April 2002 to November 2008, an Emergency Medical Services Technician for Woodbine from October 1998 to December 1999, a Building Maintenance Worker for the County from January 1994 to May 1995, and a Building Maintenance Worker for the County from March 1990 to August 1990. Agency Services determined that he lacked four years of experience.

On appeal, the appellant presents that he had been provisionally serving in the subject title for eight months prior to the closing date and he continues to serve in that title. He explains how his experience in various positions throughout his career provide him the experience as indicated in the job specification definition and examples of work for the subject title.

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. Further, *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, it is noted that Agency Services correctly determined that the appellant's college credits were not applicable as they were not in one of the required areas. Additionally, the appellant did not list his provisional service in the subject title on his application and it correctly determined that the appellant's prior experience was not applicable as he was not employed in the industrial, mercantile, manufacturing or recreational industries as required. However, it cannot be ignored that the appellant had more than four years of experience inspecting buildings while employed as an Institutional Fire Chief for Ancora. Moreover, the list is incomplete as there is only one name on the list and the appellant continues to serve provisionally in the subject title. 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 accept the appellant's Institutional Fire Chief experience, for eligibility purposes only, and admit him to the subject examination.

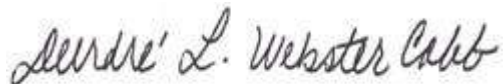
This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that this 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 24TH DAY OF AUGUST, 2022



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