

## STATE OF NEW JERSEY

In the Matter of Langford Nolley, Road Inspector (PC4303D), Camden County

CSC Docket No. 2023-489

## FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

**Examination Appeal** 

**ISSUED:** October 12, 2022 (RE)

Langford Nolley appeals the determination of the Division of Agency Services (Agency Services) which found that he did not meet the minimum requirements in experience for the promotional examination for Road Inspector (PC4303D), Camden County.

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The subject examination had a closing date of June 21, 2022 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date who met the announced requirements of one year of experience in road construction and maintenance work. One candidate appears on the eligible list, which has been certified once, but no appointments have yet been made.

On his application, the appellant listed one position: Road Inspector from February 2022 to June 2022, and did not upload or submit a resume. Official records indicate that the appellant also has held the titles Equipment Operator, Truck Driver, and Laborer 1 since November 2008. Agency Services credited the appellant with six months of experience for the one position on his application, and he was found to be lacking six months of required experience. On appeal, the appellant states that he has been doing the duties of a Road Inspector since September 2020, and he believes that the admitted candidate does not meet the requirements, and that he has more experience as an Equipment Operator than that individual.

## 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:4-2.1(f) provides that an application may only be amended 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 particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

A review of the appellant's application reveals that Agency Service's initial rejection of the appellant to the subject examination was correct. In this regard, the appellant listed one position on his application, and was credited for all the experience that he submitted. On appeal, the appellant indicates experience in other positions. In light of this information, the appellant's prior applications were reviewed. These applications evidence that the appellant accrued at least one year of experience in road construction and maintenance work as an Equipment Operator from April 2015 to December 2021, and as a Laborer 1 from November 2008 to March 2014. As the list is incomplete and the appellant is still serving in his provisional position, there is good cause to accept the appellant's amended information on appeal. Based on the circumstances presented, good cause has been established to relax the provisions of N.J.A.C. 4A:4-2.1(f) to accept the appellant's experience, for eligibility purposes only, and admit the appellant to the examination. For any future positions in which he might be interested, the appellant is cautioned that he should fully complete his application and provide all requested information.

## **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  $12^{TH}$  DAY OF OCTOBER, 2022

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