



STATE OF NEW JERSEY

In the Matter of John Johnson and
Fabian Orriols, Electrician
(M0309D), Jersey City

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

CSC Docket Nos. 2022-3264 and
2023-71

Examination Appeals

ISSUED: November 23, 2022 (SLK)

John Johnson and Fabian Orriols appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the open competitive examination for Electrician (M0309D), Jersey City. These appeals have been consolidated due to common issues presented.

The subject examination’s closing date was March 21, 2022. The experience requirements were three years of experience in work involving the installation, inspection, repair, servicing, and maintenance of electrical equipment, appliances, machinery, and circuits. Applicants who did not possess the required experience could have substituted a valid Electrical Contractor License issued by the Division of Consumer Affairs for the required experience. A total of four individuals applied and one was determined eligible. Certification OL220704 was issued containing the name of the one eligible, who was appointed. The list expires on June 15, 2025.

On Johnson’s application, he indicated that he was provisionally serving in the subject title from March 2021 to the closing date. Agency Services credited him with one year and one month of experience based on his provisional service in the subject title, but determined that he lacked one year and 11 months of experience.

On Orriols application, he indicated that he was an Electrician Helper from February 2014 to June 2019. Personnel records indicate that he was an Electrician Helper from May 2021 to the closing date and provisionally serving in the subject

title from February 2021 to May 2021. Agency Services did not credit him with any experience.

On appeal, Johnson presents that he has 25 years of experience as an electrician. He indicates that he started his electrical career in the United States Navy, he took electrical-related courses and received electrical-related certifications, and he graduated from an electrical institution. Johnson states that he is knowledgeable about the electrical code and its changes and he keeps up with electrical construction industry trends. He submits a resume where he describes how her performed the required duties while working as a Lead Licensed Electrical Mechanic for J. Johnson Electric, L.L.C. from 2004 to the present, a Lead Electrical Mechanic for Datz Electric from 2001 to 2003, and an Electrical Mechanic for Continental Gypsum Company. He also indicates that while serving in the United State Navy from 1982 to 1985, he was in several schools where he learned about electrical work.

On appeal, Orriols states that he has over eight years of experience working in the electrical field. He presents that he installed and maintained electrical systems, equipment and devices, he installed electrical conduits, cables and tubing, and he repaired wiring systems for over 50 buildings. He submits a resume where he describes how her performed the required duties while working for the appointing authority from February 2021 to the present and AIM Electric from 2014 to 2019.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional 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 appellants were not eligible as, on their applications, Johnson only presented his provisional experience in the subject title and Orriols did not describe any experience. However, on appeal, the appellants both described how they performed the required duties for the required time in various positions that they have held. 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 appellants to amend their applications. Specifically, there are currently no candidates on the list and the appellants are both performing the required duties while serving either provisionally in the subject title or as an Electrician Helper. 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 the appellants' amended experience, for eligibility purposes only, and admit them to the subject examination.

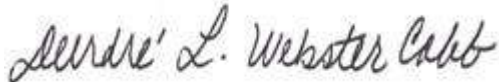
The Commission cautions the appellants that, in the future, they should ensure that any applications are fully and completely filled out as their failure to do so will be cause for rejection from the selection process. This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeals be granted, and the appellants' applications 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 23RD DAY OF NOVEMBER, 2022



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