



**STATE OF NEW JERSEY**

In the Matter of Brett Scarpa,  
 Recreation Program Specialist  
 (M0895D), Vineland

CSC Docket No. 2023-653

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 : **FINAL ADMINISTRATIVE ACTION**  
 : **OF THE**  
 : **CIVIL SERVICE COMMISSION**  
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 : Examination Appeal  
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**ISSUED:** December 21, 2022 (SLK)

Brett Scarpa 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 Recreation Program Specialist (M0895D), Vineland.

The subject examination’s closing date was July 21, 2022. The education requirement was a Bachelor’s degree. The experience requirements were one year of experience in planning, promoting, and developing a recreation program at a recreation or community center. Applicants who did not possess the required education could have substituted additional experience on a year-for-year basis with 30 semester hour credits being equal to one year of experience. Graduation from an accredited college or university with specialization in recreation or completion of one year of specialized graduation training could have been substituted for the above experience. The appellant was the only candidate and the examination was cancelled due to a lack of qualified candidates.

On the appellant’s application, he indicated that he had a Bachelor’s degree. He also indicated that he was provisionally serving in the subject title from January 2022 to the closing date. Agency Services credited him with seven months of experience, but determined that he lacked five months of experience.

On appeal, the appellant explains that he neglected to indicate on his application that prior to his provisional service in the subject title, he owned a child recreation center from September 2016 to October 2021. He states that he started

the business from scratch and was involved in every aspect of the business performing the required duties.

## 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, on his application, he only presented his provisional experience in the subject title. However, on appeal, the appellant presents that as a business owner of a child recreation facility from September 2016 through October 2021, he performed the required duties. 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, the examination was cancelled due to a lack of qualified candidates and the appellant continues to perform the requires duties while provisionally serving in the subject title. 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 appellant's amended experience, for eligibility purposes only, and admit him to the subject examination.

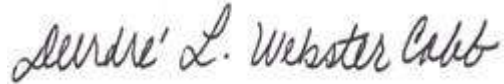
The Commission cautions the appellant that, in the future, he should ensure that any applications are fully and completely filled out as his failure to do so will be cause for rejection from the selection process. This determination is limited to the instant matter and does not provide precedent in any 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 21<sup>st</sup> DAY OF DECEMBER, 2022



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