



STATE OF NEW JERSEY

In the Matter of Robert Serafino,
Maintenance Supervisor (PM4260D),
Bayonne Housing Authority

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

CSC Docket No. 2023-652

Examination Appeal

ISSUED: December 21, 2022 (SLK)

Robert Serafino appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Maintenance Supervisor (PM4260D), Bayonne Housing Authority.

The subject examination’s closing date was June 21, 2022. The experience requirements were five years of experience in work involving the construction or repair and maintenance of building and grounds, two years of which shall have been in a supervisory capacity. The appellant was the only applicant and the examination was cancelled due to a lack of qualified candidates.

On his application, the appellant indicated that he was an Assistant Maintenance Supervisor from March 2018 to the closing date. Personnel records indicate that he was provisionally serving in the subject title from July 2021 to the closing date, a Supervising Maintenance Repairer from March 2018 to July 2021, a Senior Maintenance Repairer from May 2012 to March 2018, a Maintenance Repairer from May 1997 to May 2012, and a Building Maintenance Worker from April 1984 to May 1997. Agency Services credited the appellant with having four years and four months of experience based on his provisional service in the subject title and Supervising Maintenance Repairer experience, but lacked eight months of experience.

On appeal, the appellant submits a resume that lists all the titles that he served in and he describes the duties that he performed for each title. Specifically, the appellant describes how he has been performing the required duties as a Senior Maintenance Repairer and Maintenance Repairer since 1997.

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 appellant was not eligible as, on his application, he only presented his experience from March 2018 to the closing date. However, on appeal, the appellant describes how he has been performing the required duties as a Senior Maintenance Repairer and Maintenance Repairer since 1997, which is verified by personnel records. 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 required 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.

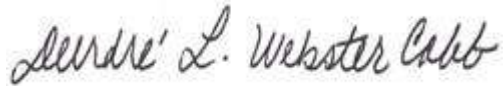
The Commission cautions the appellant that, in the future, he should ensure that any applications are fully and completely filled out as his failure to do so will be cause for rejection from the selection process. This determination is limited to the instant matter and does not provide precedent in any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



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