



STATE OF NEW JERSEY

In the Matter of Andrew Mohan,
Senior Account Clerk (PC4309D),
Bergen County Board of Social
Services

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

CSC Docket No. 2023-604

Examination Appeal

ISSUED: December 7, 2022 (SLK)

Andrew Mohan appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Senior Account Clerk (PC4309D), Bergen County Board of Social Services.

The subject examination’s closing date was June 21, 2022. The experience requirements were one year of experience in the preparation, maintenance and/or review and verification of financial records. 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 was provisionally serving in the subject title from November 2021 to the closing date. Personnel records indicate that he was provisionally serving in the subject title from November 2021 to the closing date, an Account Clerk from April 2018 to November 2021, and a Clerk 1 from February 2016 to April 2018. Agency Services credited him with eight months of experience, but determined that he lacked four months of experience.

On appeal, the appellant presents that he misunderstood the question referring to his experience and mistakenly indicated that he was hired in November 2021, when he was actually hired in February 2016. He provides that he was provisionally appointed to the subject title in November 2021 and has been performing the duties of the subject title since January 2020.

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 provisional experience in the subject title. However, on appeal, the appellant presents that he was hired February 2016 and has been performing the required duties since at least January 2020, which is verified by personnel records which indicate that he was an Account Clerk at that time. 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.

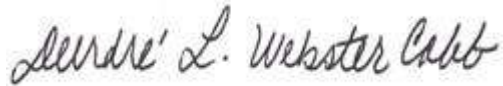
The Commission cautions the appellant that, in the future, he should ensure that any applications are fully and completely filled out as his failure to do so may be cause for rejection from the selection process. This determination is limited to the instant matter and does not provide precedent in any 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 7TH DAY OF DECEMBER, 2022



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