



STATE OF NEW JERSEY

In the Matter of John Clark, Road
Repair Supervisor (PC4893C), Morris
County

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

CSC Docket No. 2022-2440

Examination Appeal

ISSUED: JULY 5, 2022 (ABR)

John Clark appeals the determination of the Division of Agency Services (Agency Services), which found that he was ineligible for the promotional examination for Road Repair Supervisor (PC4893C), Morris County on the basis that he was below the minimum requirements in experience.

By way of background, the subject examination was announced with a closing date of November 22, 2021. The subject examination was open, in relevant part, to applicants in the competitive division who possessed four years of experience in the construction, repair, and maintenance of roads or streets which may have included work involving installation and maintenance of traffic lines and traffic signs, including one year in a lead worker capacity as of the November 22, 2021, closing date. Fourteen applicants applied for the subject examination. A total of 11 applicants were admitted to the subject examination, while three applicants, including the appellant, were deemed ineligible. The subject eligible list has not yet promulgated.

On his application, the appellant stated that he served as a Senior Public Works Repairer from January 2018 to the closing date (November 2021); as a part-time Division Supervisor with MetLife Stadium from September 2017 to the closing date; as a volunteer firefighter with Rockaway Township from January 2001 to the closing date; and as a Supervising Public Safety Telecommunicator from July 2011 to July 2013. Upon review of his application, Agency Services credited him with three years and 11 months of applicable experience based upon his service as a Senior

Public Works Repairer. However, it found that his remaining experience did not constitute applicable experience for the subject examination, as there was no indication that the required experience was the primary focus of his duties in any other title. Accordingly, he was deemed ineligible for the subject examination.

On appeal to the Civil Service Commission (Commission), the appellant argues that he possesses sufficient applicable experience for the subject examination. He details the duties he has performed in every title he has held, including, in relevant part, experience as a Public Works Repairer from July 2013 to January 2018 which was not listed in his application.

The appointing authority submits a letter in support of the appellant's appeal, in which it notes, in relevant part, that the appellant's Public Works Repairer experience was not credited because he did not list this experience on his application. It observes that because he had to have at least one year of experience in the Public Works Repairer title to successfully compete for the Senior Public Works Repairer (PM2271W) promotional examination, his actual experience exceeds what is required for the subject examination and it states that it supports the granting of his appeal. It also emphasizes the appellant's long-time service in further support of his appeal.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants must meet all requirements specified in a 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. That is, any documentation indicating work in any setting that was not previously listed on an application or resume cannot be considered after the closing date. See *In the Matter of Joann Burch, et al.* (MSB, decided August 21, 2003) and *In the Matter of Rolanda Alphonso, et al.* (MSB, decided January 26, 2005).

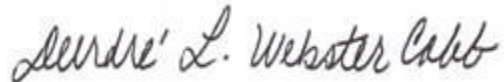
In the instant matter, Agency Services correctly determined that the appellant was ineligible for the subject examination because the appellant's experience listed in his application was less than the four years of general experience required for applicants as of the November 22, 2021, closing date. The appellant and the appointing authority state on appeal that he possesses additional applicable experience which was not noted in his application. However, such additional information is considered an amendment to his application for the subject examination which, as set forth in *N.J.A.C.* 4A:4-2.1(f), cannot be considered after the announced closing date. Accordingly, the appellant has not met his burden of proof and there is no basis to disturb the decision of Agency Services.

ORDER

Therefore, it is ordered that this appeal be denied.

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 29TH DAY OF JUNE 2022



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