



STATE OF NEW JERSEY

In the Matter of Gilberto DeLeon, Jr.	:	FINAL ADMINISTRATIVE ACTION
and Ebony Woods, Records	:	OF THE
Technician 3, Motor Vehicles	:	CIVIL SERVICE COMMISSION
(PS7769T), Motor Vehicle	:	
Commission	:	
	:	
	:	Examination Appeals
	:	
CSC Docket Nos. 2022-3299 and	:	
2022-3228	:	
	:	

ISSUED: September 21, 2022 (SLK)

Gilberto DeLeon, Jr. and Ebony Woods appeal the determinations of the Division of Agency Services (Agency Services) that they did not meet the experience requirements for the promotional examination for Records Technician 3, Motor Vehicles (PS7769T), Motor Vehicle Commission. These matters have been consolidated due to common issues presented.

The subject examination’s closing date was January 21, 2022. The experience requirements were one year of experience in the review/analysis of driver records for the purpose of ensuring that laws, rules, regulations, or policies have been interpreted properly or in a public/private agency involved in processing, evaluation, and/or adjustment of damage claims or other insurance claims evaluation and adjustment work. A total of 15 employees applied and 11 were found eligible. Certification PS220701 was issued and its disposition was due September 16, 2022. The list expires on June 15, 2025.

On DeLeon’s application, he indicated that he was provisionally serving in the subject title from February 2020 to the closing date. Personnel records indicate that he was provisionally serving in the subject title from July 2021 to the closing date and a Technician MVC from February 2020 to July 2021. Agency Services did not credit him with any experience and determined that he lacked one year of experience.

On Wood's application, she indicated that she was a Technician MVC from August 2016 to the closing date. Personnel records indicate that she was a Technician MVC from March 2017 to the closing date, a Technician Trainee MVC from August 2016 to March 2017, a Support Services CWA from October 2013 to August 2016, and a Seasonal Employment Services from July 2004 to August 2004. Agency Services did not credit her with any experience and determined that she lacked one year of experience.

On appeal, DeLeon and Woods clarify how they performed the required duties while provisionally serving in the subject title and/or as a Technician MVC for the required time prior to the closing date.

CONCLUSION

N.J.A.C. 4A:4-2.1(g) provides that the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted.

Initially, Agency Services correctly determined that DeLeon and Woods were not eligible as they did not clearly indicate that they performed the required duties. However, on appeal, they clarified how they performed the required duties while provisionally serving in the subject title and/or as a Technician MVC for the required time prior to the closing date. Moreover, DeLeon and Woods¹ continue to successfully perform the required duties after the closing date. 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 to accept DeLeon's and Woods' clarified experience, for eligibility purposes only, and admit them to the subject examination.

ORDER

Therefore, it is ordered that these appeals be granted, and Gilberto DeLeon, Jr.'s and Ebony Woods' 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.

¹ Personnel records indicate that Woods was provisionally appointed to the subject title on May 7, 2022, which is after the closing date.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 21ST DAY OF SEPTEMBER, 2022

Dolores Gorczyca

Dolores Gorczyca
Presiding Member
Civil Service Commission

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