



STATE OF NEW JERSEY

In the Matter of Befkadu Guta,
Senior Engineer Structural
Evaluation (PS7381T), Department of
Transportation

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

CSC Docket No. 2022-2309

Examination Appeal

ISSUED: September 21, 2022 (ABR)

Befkadu Guta appeals the determination of the Division of Agency Services (Agency Services), which found that he was below the minimum requirements in experience for the promotional examination for Senior Engineer Structural Evaluation (PS7381T), Department of Transportation (DOT).

The subject examination was announced with a closing date of December 21, 2021. Applicants were required to possess a Bachelor’s degree in Engineering and two years of experience in structural evaluation and/or structural analysis work as of the December 21, 2021 closing date. A total of 39 applicants were admitted to the subject examination, which was administered on June 4, 2022. The resultant eligible list, containing 31 names, promulgated on August 11, 2022 and expires on August 10, 2025.

On his application, the appellant stated that he possessed a Bachelor’s degree in Civil Engineering. With regard to his experience, he stated that he served as an Assistant Engineer Transportation from February 2020 to the closing date (December 2021); and as a site engineer with Biruk Ermias and Friend General Contracting P/S from June 2015 to January 2016. Upon review of his application, Agency Services credited him with one year and 11 months of applicable experience based upon his service as an Assistant Engineer Transportation. However, it found that his experience as a site engineer did not constitute applicable experience for the subject examination, as there was no clear indication that the required experience was the

primary focus of his duties in that title. Accordingly, he was deemed ineligible for the subject examination.

On appeal to the Civil Service Commission (Commission), the appellant argues that he should be deemed eligible for the subject examination, as he has been working in structural evaluation and bridge management for more than two years. In addition, he submits supporting documentation, including, in part, a resume which details his work history, such as his experience as an Engineering Trainee Transportation from February 2019 to February 2020 which was not listed in his application or the resume he submitted to this agency prior to the closing date for the subject examination. He further argues that his advancement to the Assistant Engineer Transportation evidences that he possessed an additional one year of applicable engineering experience. Moreover, he avers that his more than one year of experience as a project manager and site engineer satisfies the minimum requirements for experience. In support of these claims, he furnishes documentation related to his employment history, including an offer of employment from the appointing authority dated January 14, 2019, and a record from this agency which shows that he was hired by the appointing authority on February 2, 2019.

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 two years of applicable experience required for applicants as of the December 21, 2021 closing date. The appellant states 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. Further, although the appellant asserts that his experience as a site engineer with Biruk Ermas and Friend General Contractor P/S constituted applicable experience, he has not sufficiently detailed any applicable structural evaluation and/or structural analysis work he may have performed in that position on his application or on appeal. Moreover, even assuming, *arguendo*, that any of his amended experience is applicable, as there is a complete list, there would not be good cause to relax the provisions of *N.J.A.C.* 4A:4-2.1(f). As such, the appellant has not met his burden of proof in the instant matter.

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 21ST DAY OF SEPTEMBER, 2022

Dolores Gorczyca

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Presiding Member
Civil Service Commission

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