



STATE OF NEW JERSEY

In the Matter of George Attalaa,
Environmental Engineer 3 (PS4114G),
Department of Environmental
Protection

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

CSC Docket Nos. 2024-2157

Examination Appeal

ISSUED: June 11, 2025 (MC)

George Attalaa appeals the determination of the Division of Agency Services (Agency Services) which found that he did not possess the required one year of permanent status for the promotional examination for Environmental Engineer 3 (PS4114G), Department of Environmental Protection.

By way of background, the subject examination was announced with a closing date of December 21, 2023, and was open to employees in the competitive division who were currently serving in the title of Environmental Engineer 2 and Environmental Engineer 1 and had an aggregate of one year of continuous permanent service in one of those titles. Eleven applicants, including the appellant applied for the subject examination. Agency records indicate that 10 applicants were admitted to the written examination which is scheduled for June 18, 2025.¹

The appellant indicated on his application that he served as an Environmental Engineer 1 Trainee from June 2022 to November 2023 and as an Environmental Engineer 3 from November 2023 to December 2023. Agency records indicated that the appellant received a regular appointment to the title of

¹ Agency records indicate that in the unit scope the examination was open to, there are currently eight individuals, including the appellant, who are serving provisionally, pending promotional examination procedures. Two of these provisional appointments were made after the December 2023 closing date, one 2024 and one in 2025.

Environmental Engineer 1, effective June 17, 2023.² Since the appellant lacked one year of continuous permanent service as an Environmental Engineer 1, as of the announced closing date, Agency Services found him ineligible as of the December 21, 2023, closing date.

On appeal to the Civil Service Commission (Commission) the appellant argues that he has 21 years of professional experience in environmental engineering work which exceeds the minimum experience requirements listed in the job specification for the Environmental Engineer 3 title. The appellant also argues that he was recently offered the position of Environmental Engineer 3 after interviewing for a posting for the position. Moreover, he asserts that he was told that, in the past, individuals in the title of Environmental Engineer 1 have been found eligible to take the examination for Environmental Engineer 3.

In support, he submits a letter from the appointing authority. Specifically, the appointing authority maintains that although it had requested that the examination requirement of one year of permanent service be reduced to the completion of the working test period, that request was denied as there were more than two applicants with at least one year of service in the eligible titles. The appointing authority also maintains that it was unaware, at the time it offered the position to the appellant, that he would not be able to apply for the promotional opportunity based on the foregoing. The appointing authority contends that in order to retain an exemplary employee, and in recognition of its error, it requests that *N.J.A.C.* 4A:4-2.6(a)1 be relaxed to admit the appellant to the subject examination. Finally, the appointing authority acknowledges that there were three other employees, who had also completed their working test period, who would also be eligible if its request is granted.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)1 provides, in pertinent part, that applicants for promotional examinations shall have one year of continuous permanent service for an aggregate of one year immediately preceding the closing date in a title or titles to which the examination is open. *N.J.A.C.* 4A:4-2.6(a)2 requires applicants to possess all the requirements specified in an announcement for a promotional examination by the closing date. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In the instant matter, the Civil Service Commission is responsible for the review and the determination of requests to reduce the requirement of one year of permanent service. While an appointing authority may request a rule to be relaxed this request may be denied if it does not meet the criteria. Agency Services

² Agency records also indicate that he was provisionally appointed, pending promotional examination procedures, to the title Environmental Engineer 3, effective November 30, 2023.

originally denied the request and found that the appellant was not eligible as he did not possess one year of continuous permanent service in a title that the examination was open to and it is noted that based on the number of eligibles, there should be a complete list to appoint qualified candidates. Moreover, when the eligible list should become exhausted or incomplete, a new examination can be requested. Therefore, based on the foregoing, good cause does not exist to relax the rule as it would be unfair to others that had met the announced requirements.

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 11TH DAY OF JUNE, 2025



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