



B-23

STATE OF NEW JERSEY

In the Matter of Marc Digirolamo,
Agency Services Representative 4
(PS6847H), Department of Health

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-871

Examination Appeal

ISSUED: OCT 09 2015 (JET)

Marc Digirolamo appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Agency Services Representative 4 (PS6847H), Department of Health.

The examination at issue was announced with specific requirements that had to be met as of the January 21, 2014 closing date (see attached). A total of three employees applied for the subject examination that resulted in a list of one eligible with an expiration date of August 9, 2018.

The appellant indicated on his application that he was a Customer Service Representative 4 from November 2009 to August 2013. The appellant indicated that he was a Senior Data Machine Operator from November 2006 to November 2009. A review of the appellant's personnel record indicates that he was provisionally appointed to the subject title in August 2013. He also indicated that he worked as a Dedicated Crane Operator from August 2001 to February 2003. Agency Services credited him with three years and ten months of applicable experience for his service as a Customer Service Representative 4. However, it did not find any of his other experience applicable. Accordingly, Agency Services determined that the appellant lacked two months of applicable experience.

On appeal, the appellant argues, among other things, that he was appointed as a provisional Agency Services Representative 4 in August 2013. The appellant states that his experience as a provisional Agency Services Representative 4, in

addition to the experience listed on his application, should be sufficient to qualify him for the examination.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular situation.

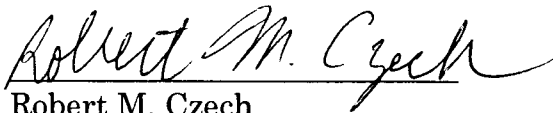
Initially, it is noted that Agency Services correctly credited the appellant with three years and ten months of applicable experience based on his service as a Customer Service Representative 4. Although the appellant was appointed as provisional Agency Service Representative 4 prior the January 21, 2014 closing date, he could not be credited for this experience because he did not list it on his original application. On appeal, the appellant amends his application and indicates additional experience from August 2013 to the closing date. Although *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date, the eligible list is incomplete. Additionally, the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and accept the appellant's provisional experience up to the closing date, and to admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, 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 OCTOBER, 2015



Robert M. Czech
Chairperson
Civil Service Commission

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and
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c: Marc Digirolamo
Kelly Glenn
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

SYMBOL: PS6847H	WEIGHT CODE: *
TITLE: AGENCY SERVICES REPRESENTATIVE 4	SALARY: \$44,278.00 - \$62,445.00
ISSUE DATE: January 01, 2014	CLOSING DATE: January 21, 2014
TITLE CODE: 56364/AQRXR4	CLASS CODE: 19
DEPARTMENT: HLA/HEALTH	APPLICATION DEADLINE: August 21, 2014
UNIT SCOPE: II-450 Div of Epidemiology, Environmental & Occupational Health Services	

**ONLY ON LINE APPLICATIONS
WILL BE ACCEPTED
FOR THIS ANNOUNCEMENT**

Open to employees in the competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):

Agency Services Representative 3

Or to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Experience: Four (4) years of experience providing information and support to customers or clients, responding to technical inquiries and/or complaints regarding products, services or programs, or collecting payments in a government or office setting.

License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

NOTE: As of December 1, 2013, applications must be completed and submitted by 4:00 pm on the closing date.

NOTE: All requirements must be met as of the above closing date, however applications will be accepted up to and including **August 21, 2014**.

SPECIAL NOTE: IF YOU FILED AN APPLICATION FOR THIS ANNOUNCEMENT DURING THE ORIGINAL POSTING PERIOD YOU DO NOT HAVE TO FILE AGAIN, unless you would like to supplement your original application based on this amendment. If you file a supplemental application, please do not send an additional application fee.

Amended 8/1/14

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
2. **YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE**.
5. In accordance with Public Law 2010 c.26, **Veterans pay a reduced application fee of \$15.00** if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE: THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.**
6. **SAVE ON POSTAGE! GO PAPERLESS! RECEIVE IMMEDIATE CONFIRMATION THAT YOUR APPLICATION HAS BEEN RECEIVED!** You can now file an application for this examination online. Visit the Civil Service Commission website at <http://info.csc.state.nj.us/epoa>. Select the promotional announcement and click on the link, "Click Here to file Online" at the top of the announcement. **You can now complete and submit your application and payment online to the Civil Service Commission and you will receive an immediate receipt confirmation!**
7. **SPECIAL NOTE TO ALL APPLICANTS** Please make sure you are assigned to the unit scope indicated above. **If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.**

DPF-256A * Revised 03/09