

B-9



In the Matter of David Corsaro and
Earl Odd, Supervisor of Public Works
(PM0270T), Voorhees Township

CSC Docket Nos. 2016-810 and 2016-
812

STATE OF NEW JERSEY

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

Examination Appeals

ISSUED: SEP 18 2015 (CSM)

David Corsaro and Earl Odd appeal the determinations of the Division of Agency Services (Agency Services) which found that they were below the minimum requirements in experience for the promotional examination for Supervisor of Public Works (PM0270T), Voorhees Township.

The examination at issue was announced with specific requirements that had to be met as of the closing date of February 21, 2015 (see attached). The subject examination was cancelled on August 13, 2015 since both applicants were deemed ineligible.

Mr. Corsaro indicated on his application that he was provisionally serving in the title under test from January 2012 to the closing date, February 2015. From June 2011 to January 2012 he was a Supervisor of Sewage and Parks and from September 1992 to June 2011 he served in the Sewer Repairer title series. A review of Mr. Corsaro's personnel record indicates that he was provisionally appointed to the title under test in January 2013, was a Sewer Repairer 2 from January 2003 to January 2013, a Sewer Repairer 1 from March 2000 to January 2003 and a Truck Driver and Laborer 1 from September 1992 to March 2000. Agency Services credited Mr. Coraso with two years and two months of experience based on his provisional service in the title under test, but determined that the remainder of his experience was not applicable. Therefore, Mr. Coraso would need an additional one year and ten months of experience to qualify for the examination.

Mr. Odd indicated on his application that he was provisionally serving in the title under test from January 2012 to the closing date, February 2015. From January 1990 to January 2012 he indicated that he was a Truck Driver and from October 1987 to January 1990 he was a Laborer. A review of Mr. Odd's personnel record indicates that he was provisionally appointed to the title under test in January 2013. Agency Services credited Mr. Odd with two years and two months of experience based on his provisional service in the title under test, but determined that the remainder of his experience was not applicable. Therefore, Mr. Odd would need an additional one year and ten months of experience to qualify for the examination.

On appeal, the appellants highlight their experience and various licensures and training accomplishments. Additionally, Lawrence Spellman, Township Administrator, Voorhees, provides documentation confirming that the appellants have performed out-of-title supervisor duties over the years due to such things as the regular supervisors being out of work for extended periods of time due to life threatening illness, death, and retirements since 2008. Therefore, the appellants maintain they should be admitted to the subject examination.

N.J.A.C. 4A:4-2.6(c) provides that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception.

CONCLUSION

Initially, Agency Services correctly determined that the appellants were not eligible for the subject examination. As of the closing date, they each only possessed two years and two months of experience based on their provisional service in the title under test and would need an additional one year and ten months of experience to qualify for the examination. Primarily performing supervisory duties would be considered out-of-title work for an incumbent in Sewer Repairer 2 and Truck Driver titles. However, the appointing authority has confirmed that the appellants have performed the required out-of-title duties due to business necessity as far back as 2008. Additionally, the subject examination was cancelled and the appellants continue to serve provisionally in the title under test. Under these circumstances, good cause exists to accept the appellants' out-of-title work experience and admit them to the subject examination.

ORDER

Therefore, it is ordered that these appeals be granted, the examination cancellation be rescinded, and the appellants' 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.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON THE
16TH DAY OF SEPTEMBER, 2015



Robert M. Czech
Chairperson
Civil Service Commission

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and
Correspondence

Henry Maurer
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Attachment

- c. David Corsaro
- Earl Odd
- Lawrence Spellman
- Kelly Glenn
- Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION
 COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



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

SYMBOL: PM0270T	WEIGHT CODE: *
TITLE: SUPERVISOR PUBLIC WORKS	SALARY: \$80,000.00 - \$100,000.00
ISSUE DATE: February 01, 2015	CLOSING DATE: February 21, 2015
TITLE CODE: 06650/ NBRDR1	JURISDICTION CODE: C04340004
JURISDICTION: VOORHEES TWP	
DEPARTMENT: PUBLIC WORKS	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

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

Assistant Supervisor Public Works 06651

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 in the construction, maintenance, and repair of streets, sewer, water, sanitation, or other public works facilities or similar heavy construction.

Note: 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.

Appointees must possess a valid Commercial Driver's License (CDL), Class B, for the class and type of vehicle being operated. Proof of the license must be submitted to the appointing authority prior to appointment.

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.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
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-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, 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. (i.e. Police, Fire, Corrections and Sheriff).
6. **If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.**

DPF-256A * Revised 03/09