



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Michael Martinez,
General Supervisor Traffic
Maintenance (PM1640U), Newark

Examination Appeal

CSC Docket No. 2017-2186

ISSUED: **MAY 19 2017** (SLK)

Michael Martinez appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for General Supervisor Traffic Maintenance (PM1640U), Newark.

The examination at issue was announced with specific requirements that had to be met as of the August 22, 2016 closing date (see attached). The appellant was the only employee who applied for the subject examination that was cancelled due to a lack of qualified candidates.

On appeal, Mr. Martinez presents that he has over 30 years of experience performing traffic sign installations and other related duties. Additionally, he explains that, since May 2010, he has been performing the duties of the subject title while working as a Compressor Operator.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date.

Initially, Agency Services determined that the appellant lacked the required duties because he did not clearly describe in his application that, as a Supervisor Traffic Maintenance from January 1999 to November 2005, he performed the

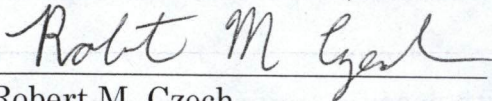
required duties. Further, his experience performing the required duties, as a Compressor Operator from May 2010 to the August 22, 2016 closing date, would be considered out-of-title work. However, in accordance with N.J.A.C. 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties performed in a given position that expands or enlarges on information previously submitted is considered clarifying. On appeal, Mr. Martinez clarifies the duties he performed while serving as a Supervisor Traffic Maintenance between January 1999 and November 2005. Additionally, the Commission notes that the appellant has been provisionally serving in the subject title since January 2016. Under these circumstances, the Commission accepts the clarification of Mr. Martinez's experience as a Supervisor Traffic Maintenance, and admits him to the examination.

ORDER

Therefore, it is ordered that the appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

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 17th DAY OF MAY, 2017



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Michael Martinez
Jack Kelly
Kelly Glenn
Records Center

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: **PM1640U**

WEIGHT CODE: *

TITLE: **GENERAL SUPERVISOR TRAFFIC MAINTENANCE**

SALARY: **\$53,604.00 - \$67,874.00**

ISSUE DATE: **August 01, 2016**

CLOSING DATE: **August 22, 2016**

TITLE CODE: **06818/ HBRGR2**

JURISDICTION CODE: **N07140011**

JURISDICTION: **NEWARK**

DEPARTMENT: **ENGINEERING**

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):

Supervisor Traffic Maintenance 06816

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: Five (5) years of experience in work involving the assembly, installation and maintenance of traffic control signs and the painting of traffic lines, two (2) years of which must have been in a supervisory capacity.

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.

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. **ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. 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

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