



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Carl Brandimarte,
Storekeeper 1 (PS3636P),
Department of Law and Public Safety

Examination Appeal

CSC Docket No. 2017-2518

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

Carl Brandimarte 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 Storekeeper 1 (PS3636P), Department of Law and Public Safety.

The examination at issue was announced with specific requirements that had to be met as of the October 21, 2016 closing date (see attached). A total of two employees applied for the subject examination and both were deemed ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

On appeal, Mr. Brandimarte clarifies that, as a Plumber and Steamfitter from January 2011 to his provisional appointment in the subject title in July 2016, he was assigned to the plumbing shop. The plumbing shop contained materials and tools for more than 100 buildings. He represents that, in this position, he organized the shop, created an inventory system to keep track of and reorder supplies, made monthly inventory reports including noting missing and damaged tools and materials, and filled out warranty claims as needed.

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 correctly determined that the appellant did not meet the required experience as he did not clearly explain how he performed the required duties. However, in accordance with *N.J.A.C. 4A:4-2.1(g)*, the Civil Service 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. Brandimarte clarifies how he performed the required duties while being assigned to the plumbing shop for over five years. It is noted that the job specification for Plumber and Steamfitter indicates that incumbents in this position need the ability to requisition, store, safeguard, and record equipment, materials, and supplies. Additionally, the examination has been cancelled due to a lack of qualified applicants and Mr. Brandimarte began provisionally serving in the subject title in July 2016. Under these circumstances, good cause exists to accept the clarification of Mr. Brandimarte's experience, for eligibility purposes only, and admit him to the examination.

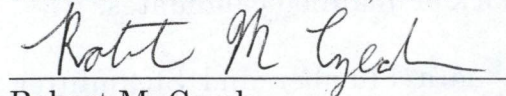
It is noted that this remedy is limited to the particular circumstances of this matter and does not set a precedent in any other matter.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination announcement be rescinded, and Carl Brandimarte'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 17th DAY OF MAY, 2017



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
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Attachment

c: Carl Brandimarte
Jessica Chianese
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Records Center

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