

B-23



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Edwin Gonzalez, Jr.,
Senior Custodian (PM1491S), Jersey
City School District

Examination Appeal

CSC Docket No. 2015-2864

ISSUED: JUL 16 2015 (SLK)

Edwin Gonzalez, Jr. 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 Senior Custodian (PM1491S), Jersey City School District.

The examination at issue was announced with specific requirements that had to be met as of the November 21, 2014 closing date (see attached). A total of 15 employees applied for the subject examination and two were deemed eligible. Certification PL150618 was issued containing the names of the two eligibles. The disposition of the certification is due September 1, 2015 and the eligible list expires on April 1, 2018.

On his application, Mr. Gonzales indicated that he was a Boiler Operator from August 2011 to the November 21, 2014 closing date, a Head Custodian¹ from January 2013 to September 2014, a Maintenance Worker 1 Grounds from November 2009 to August 2011, and a Custodial Worker from December 2000 to November 2009. Agency Services credited the appellant with having met the general experience requirement based on his experience as a Boiler Operator, but determined that he lacked one year of supervisory experience.

On appeal, Mr. Gonzales presents that in addition to meeting the general experience requirement, he meets the one year of supervisory experience

¹ Personnel records do not indicate that Mr. Gonzalez was a Head Custodian.

requirement based on his service as a Head Custodian from January 2013 to September 2014. Further, a Facilities Director for the Jersey City School District has confirmed that the appellant covered a vacant Head Custodian position from January 2013 to January 2014 due to an absence until another employee was reassigned to the position.

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. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, 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.

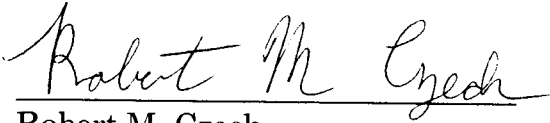
Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. Mr. Gonzalez was credited with having met the general experience requirements based on his experience as a Boiler Operator, but he lacked the required supervisory experience to establish eligibility. Any relevant supervisory experience the appellant gained as a Boiler Operator would be out-of-title-work. However, a Facilities Director for the Jersey City School District has verified that Mr. Gonzales performed the required out-of-title duties from January 2013 to January 2014 due to the appointing authority's need to temporarily fill a Head Custodian position during an employee's absence. Additionally, the examination situation is not competitive as there are only two eligibles on the list. Accordingly, good cause exists to accept the appellant's out-of-title work experience, for eligibility purposes only, and to admit him to the examination.

ORDER

Therefore, it is ordered that the appeal be granted, and Edwin Gonzalez, Jr.'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 15th DAY OF JULY, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
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: Edwin Gonzalez, Jr.
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: PM1491S	WEIGHT CODE: *
TITLE: SENIOR CUSTODIAN	SALARY: \$37,305.38 - \$48,480.23
ISSUE DATE: November 01, 2014	CLOSING DATE: November 21, 2014
TITLE CODE: 03290/ KFRJR2	JURISDICTION CODE: N09060600
JURISDICTION: JERSEY CITY	
DEPARTMENT: SCHOOL DISTRICT	

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

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):

Custodian 01455

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: Two (2) years of experience in work involving the heating, inspection, cleaning, and maintenance of furniture, fixtures, offices, buildings, and in the reconditioning, care, and maintenance of grounds, one (1) year of which shall have been in a supervisory capacity.

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. 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