

B-25



In the Matter of James Lallo and
James Snell, Supervising Water
Treatment Plant Operator
(PM1305S), Willingboro Township

CSC Docket Nos. 2015-3191 and
2015-3192

STATE OF NEW JERSEY
FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeals

ISSUED: JUL 17 2015 (CSM)

James Lallo and James Snell 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 Supervising Water Treatment Plant Operator (PM1305S), Willingboro Township.

The examination at issue was announced with specific requirements that had to be met as of the closing date of September 22, 2014 (see attached). The subject examination was cancelled on June 12, 2015 since both applicants were deemed ineligible.

Mr. Lallo indicated on his application that he was a Water Treatment Plant Operator from August 2007 to the closing date, September 2014. A review of Mr. Lallo's personnel record indicates that he was a Water Treatment Plant Operator from August 2014 to the closing date and from December 2013 to June 2014, was provisionally appointed to the title under test from June 2014 to August 2014, and was an Assistant Water Treatment Plant Operator from June 2009 to December 2013. It is also noted that Mr. Lallo was again provisionally appointed to the title under test in November 2014, after the closing date for the subject examination. Agency Services credited Mr. Lallo with ten months of experience based on his provisional service in the title under test as of the announced closing date and as a Water Treatment Plant Operator, but determined that the remainder of his experience in the title of Assistant Water Treatment Plant Operator was not at the level and scope required to establish eligibility. Therefore, Mr. Lallo would need an additional two years and two months of experience to qualify for the examination.

Mr. Snell indicated on his application that he was Water Treatment Plant Operator from April 2009 to the closing date, September 2014. A review of Mr. Snell's personnel record indicates that he was a Water Treatment Plant Operator from August 2014 to the closing date, a Senior Water Treatment Plant Operator from February 2014 to the August 2014, an Assistant Water Treatment Plant Operator from December 2009 to February 2014, a Senior Water Treatment Plant Operator/Senior Water Treatment Plant Repairer from October 2008 to September 2009, and a Laborer 1 from May 2006 to October 2008 and from September 2009 to December 2009. Agency Services credited Mr. Snell with one year and two months of experience based on his experience as a Water Treatment Plant Operator and Senior Water Treatment Plant Operator, but determined that the remainder of his experience in the title of Assistant Water Treatment Plant Operator was not at the level and scope necessary required to establish eligibility. Therefore, Mr. Snell 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. Additionally, Mr. Lallo provides documentation from Robert Krogulski, Superintendent, verifying his experience and recommending him for promotion and Mr. Snell provides documentation Vincent Buckley, Superintendent, verifying that he performed higher level duties while Mr. Buckley was on an extended leave. Therefore, the appellants maintain they should be admitted to the subject examination.

CONCLUSION

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

Initially, Agency Services correctly determined that the appellants were not eligible for the subject examination. As of the closing date, Mr. Lallo possessed ten months of the required experience and Mr. Snell possessed one year and two months of the required experience. Since an incumbent in the Assistant Water Treatment Plant Operator title primarily receives on-the-job training in the operation of a water treatment plant, Agency Services properly determined that this experience was not normally at the level and scope required to satisfy the requirements for the subject examination. However, while such experience is generally not considered to be at the level and scope required for the subject examination, it cannot be ignored that the job duties are similar to those required to establish eligibility for the title under test. Additionally, the examination was cancelled due to a lack of applicants and Mr. Lallo was again provisionally appointed to the title under test. Under these circumstances, good cause has been

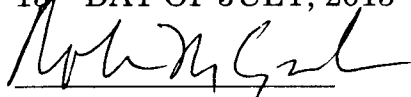
established to accept the appellants' experience in the Assistant Water Treatment Plant Operator title as qualifying and to admit them to the examination.

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
15TH DAY OF JULY, 2015



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals
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Written Record Appeals Unit
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P.O. Box 312
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Attachment

- c. James Lallo
- James Snell
- Andrew Weber
- 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: PM1305S	WEIGHT CODE: *
TITLE: SUPERVISING WATER TREATMENT PLANT OPERATOR	SALARY: \$50,500.00 - \$60,900.00
ISSUE DATE: September 01, 2014	CLOSING DATE: September 22, 2014
TITLE CODE: 06544/ IBRCRI	JURISDICTION CODE: T03380400
JURISDICTION: WILLINGBORO TWP	APPLICATION DEADLINE: September 24, 2014
DEPARTMENT: UTILITIES AUTHORITY	

**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):

**Senior Water Treatment Plant Operator 03647
 Water Treatment Plant Operator 04296**

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: Three (3) years of experience in operating, adjusting, regulating, repairing and maintaining electric motors, pumps, valves, and other electrical and mechanical equipment used in a water treatment plant or pumping station or filtration plant.

Note: Appointees in Municipal Water Utilities Authority may be required to attend Incident Management training within a specified timeframe as determined by the appointing authority. Such training may include but not be limited to: ICS-700 NIMS, An Introduction; ICS-100 Introduction to ICS or equivalent; ICS-200 Basic ICS or equivalent.

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.

Appointees will be required to possess a valid (T-2) Public Water Treatment Operator license issued by the NJ Department of Environmental Protection. Proof of the license must be submitted to the appointing authority prior to appointment. Failure to do so will result in rejection from the examination process.

NOTE: All requirements must be met as of the above closing date, however applications will be accepted up to and including **September 24, 2014**.

SPECIAL NOTE: IF YOU FILED AN APPLICATION FOR THIS ANNOUNCEMENT DURING THE ORIGINAL POSTING PERIOD YOU DO NOT HAVE TO FILE AGAIN.

Amended 9/16/14

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@esc.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