



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

In the Matter of Matthew Wayde, Senior Mechanic Diesel (C0799T), Monmouth County

Examination Appeal

CSC Docket No. 2016-3356

ISSUED: NOV 16 2016 (SLK)

Matthew Wayde appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the education and experience requirements for the open competitive examination for Senior Mechanic Diesel (C0799T), Monmouth County.

The examination at issue was announced with specific requirements that had to be met as of the November 6, 2015 closing date (see attached). Seven individuals applied for the examination that resulted in three being deemed eligible. Certification OL160274 was issued containing the names of the three eligibles and it was disposed by bypassing one eligible, removing one eligible for not responding to the certification notice, and appointing one eligible. Thereafter, certification OL160582 was issued containing the name of the one remaining eligible. The list expires on March 9, 2019.

On Mr. Wayde's application, he indicated that he was provisionally serving in the title under test from May 2015 to the November 6, 2015 closing date. He also indicated that he possessed some college credits in auto mechanics. Agency Services credited him with having seven months of experience based on his provisional service in the subject title, but determined he did not meet the education requirement and lacked two years and five months of experience.

On appeal, Mr. Wayde contends that there was a "glitch" when submitting his on-line application and that his resume did not go through. He presents that, in addition to his provisional service in the subject title, he was a Bus Technician for

Academy Lines from October 2011 to July 2013 and he has over two years of studying mechanical and electrical diagnostics from his community college schooling and earning an Abex Heavy Duty Friction and Brake Training certification.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date.

N.J.A.C. 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date.

N.J.A.C. 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant did not indicate on his original application that he had the required education and experience. On appeal, the appellant explains that he believes that there was a "glitch" when he submitted his on-line application and therefore his resume did not go through. He indicates that he has an additional 1 year and 10 months of the required experience by working for Academy Lines as a Bus Technician. He also provides that he has over two years of automotive technology training based on his community college classes¹ and his earning an automotive technology related certification. The importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Agency Services can make the initial determination whether to admit or reject an applicant. Agency Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner.

Although *N.J.A.C.* 4A:4-2.1(f) proscribes the amendment of an application after the closing date set in the announcement, the Commission notes several circumstances present that provide good cause to permit the appellant to amend his application in this matter. In particular, there are four provisional appointees serving in the subject title and the list only contains the name of one eligible. As such, the eligible list is incomplete. Further, the appellant continues provisionally serving in the subject title. Additionally, Mr. Wayde indicated that he performed maintenance and repair of diesel engine for Academy Lines and he continues to

¹ The appellant's transcript, which was submitted on appeal, indicates that he has earned 24 community college credits in automotive technology.

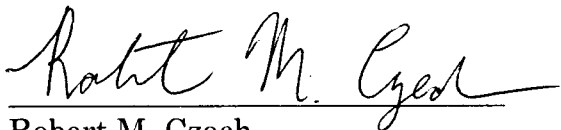
serve provisionally in the title under test. Accordingly, good cause is established to relax the provisions of *N.J.A.C. 4A:4-2.1(f)* and admit the appellant to the subject examination. It is noted that this determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, and Mr. Wayde'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 10th DAY OF NOVEMBER, 2016



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: Matthew Wayde
Frank Tragno, Jr.
Kelly Glenn
Records Center



Job Announcements

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printable version

Symbol: C0799T

Title: SENIOR MECHANIC DIESEL

Issue Date: 10/16/2015

Closing Date: 11/06/2015

Jurisdiction: MONMOUTH COUNTY

Salary: \$44,500.00 - \$59,600.00 Per Year

Num. of Positions: 4

Workweek: 40 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

1) Monmouth County; 2) Burlington County, Mercer County, Middlesex County, Ocean County

REQUIREMENTS:

TRAINING: Successful completion of one (1) year of training in automotive technology at an accredited community college or vocational school. Please upload proof of successful completion of one (1) year of training with your application. Failure to do so will result in ineligibility.

EXPERIENCE: Three (3) years of experience in the installation, maintenance, and repair of diesel engines.

NOTE: Applicants who do not possess the required year of formal training may substitute one (1) additional year of experience as outlined above.

NOTE: Possession of a certificate as a diesel mechanic issued by the National Institute for Automotive Service Excellence may be substituted for one (1) year of formal training. If you are substituting a certificate for the required formal training, please upload a copy of your certificate with your application. Failure to do so will result in ineligibility.

LICENSE: Appointees will be required to possess a valid New Jersey driver's license.

Appointees must possess a valid Commercial Driver's License (CDL) Class B.

NOTE: 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.

NOTE: Please refer to the job specification 02434 for additional notes.

Customer Care and Technical Support: If you are having difficulty submitting your application online, customer care and technical support 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.nj.gov or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

IMPORTANT INFORMATION:

1. NJAC 4A:4-2.3(b) states that all requirements must be met as of the closing date.
2. Online applications must be completed and submitted by the closing date listed above.
3. **You must complete your application in detail.** Your score may be based on a comparison of your background with the job requirements. **Failure to complete your application properly may lower your score or cause you to fail.**
4. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions.
5. Effective September 1, 2011, the New Jersey First residency law was enacted. Please click here for additional information.
6. In accordance with Public Law 2010 c. 26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veteran's Preference with the DMAVA (as defined by NJSA 11A:5-1 et seq) or their claim is approved by