



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

In the Matter of John Zupko, Coordinator of School Transportation Services (PM2631T), Jersey City School District

Examination Appeal

CSC Docket No. 2016-3539

NOV 16 2016

ISSUED: (SLK)

John Zupko, represented by Randi Doner April, Esq., 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 Coordinator of School Transportation Services (PM2631T), Jersey City School District.

The examination at issue was announced with specific requirements that had to be met as of the December 21, 2015 closing date (see attached). The appellant was the only employee that applied for the examination which was cancelled due to a lack of qualified applicants.

On his application, Mr. Zupko indicated that he was provisionally serving in the subject title from February 2015 to the December 21, 2015 closing date, a Senior Transportation Inspector from September 2001 to February 2015, a Transportation Inspector from 1998 to 2001, a School Bus Driver from 1995 to 1998, a Customer Service Representative for Jamac Frozen Foods from 1993 to 1995, and a Restaurant Manager for Hardee's Food Systems, Inc. from 1989 to 1993. He also indicated that he earned 114 college credits. Personnel records indicate that he was provisionally serving in the subject title from July 1, 2015 to the December 21, 2015 closing date, a Senior Transportation Inspector from August 2001 to July 2015, a Transportation Inspector from September 1998 to August 2001, and a School Bus Driver from August 1997 to September 1998. Agency Services credited him with three years and six months of experience for his education and six months of

experience for his provisional service in the subject title, but determined that he lacked three years of experience.

On appeal, Mr. Zupko disagrees with the determination that he did not meet the experience requirement. Celeste Williams, Chief of Talent, confirms that Mr. Zupko performed supervisory duties as a Senior Transportation Inspector from August 1, 2001 to June 30, 2015.

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.

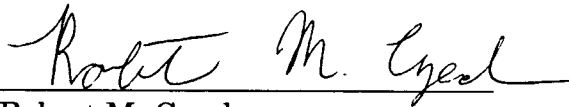
Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination. The appellant was credited with three years and six months of experience based on his college credits and six months of experience based on his provisional service in the subject title, but he lacked three years of supervisory experience to establish eligibility. Any relevant supervisory experience the appellant gained as a Senior Transportation Inspector would be out-of-title-work. Additionally, Agency Services found that the appellant did not indicate that he was directing or scheduling transportation services. However, Ms. Williams confirmed that the appellant performed supervisory duties as a Senior Transportation Inspector from August 1, 2001 to June 30, 2015. Further, a review of Mr. Zupko's application indicates that, as a Senior Transportation Inspector, he stated he was planning, organizing, and supervising the scheduling and implementation of all transportation service. This is consistent with the examples of work for the job specification for Senior Transportation Inspector, which states that an incumbent in this position provides recommendations for changes in service, including additional busses, route changes and revised schedules to improve service to the public. Moreover, the examination was cancelled due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept Mr. Zupko's supervisory experience after the closing date, as well as his out-of-title work supervisory experience while serving as a Senior Transportation Inspector, for eligibility purposes only, and admit him to the subject examination.

ORDER

Therefore, it is ordered that the appeal be granted, and John Zupko'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: John Zupko
Randi Doner April, Esq.
Celeste Williams
Kelly Glenn
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION
COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



[Click here to file Online](#) Print
\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

SYMBOL: PM2631T	WEIGHT CODE: *
TITLE: COORDINATOR OF SCHOOL TRANSPORTATION SERVICES	SALARY: \$88,638.00 - \$109,009.45
ISSUE DATE: December 01, 2015	CLOSING DATE: December 21, 2015
TITLE CODE: 01366@/ XFRJR2	JURISDICTION CODE: N09060600
JURISDICTION: JERSEY CITY	
DEPARTMENT: SCHOOL DISTRICT	

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):

Assistant Coordinator School Transportation Services 00437

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:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Three (3) years of supervisory experience involving the organization, planning, direction and scheduling of mass passenger transportation services.

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