



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Kyle Hurley,
Mechanic (M0879U),
North Brunswick

CSC Docket No. 2017-3051

Examination Appeal

:
:
:
:
:
:
:
:
:
:
:
:
:
:
:
:

ISSUED: August 21, 2017 (RE)

Kyle Hurley appeals the determination of the Division of Agency Services which found that he did not meet the minimum experience requirements for the open-competitive examination for Mechanic (M0879U), North Brunswick.

The subject open-competitive was announced with specific requirements that had to be met as of the November 13, 2016 closing date (see attached). There were four admitted candidates, and the eligible list was certified once. As a result, one candidate was removed for failing to respond to the notification, one candidate was bypassed for failing to have a driver's license, and one candidate was interested only in future certifications. Last candidate was retained as a provisional employee was serving, the certification was incomplete, and there were no appointments.

Mr. Hurley listed two positions on his application, Mechanic with North Brunswick, and Mechanic with Birds Automotive. The appellant was credited with one year, four months of experience in these positions, and was found to be lacking eight months of full-time experience.

On appeal, the appellant argues that he is serving as a provisional, he has taken vocational training, and has completed an Associate's degree in automotive/diesel technology. His supervisor supports this appeal.

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

CONCLUSION

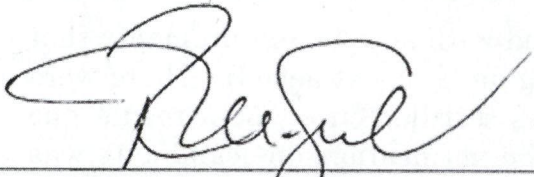
Initially, the appellant was correctly denied admittance to the subject examination since he lacked eight months of qualifying experience. Education is not a factor in eligibility for this examination. Nonetheless, the prior certification resulted in no appointments. The appellant is still serving as a provisional appointee and he has accrued an additional eight months of full-time experience since the November 2016 closing date. Based on the particular circumstances presented, good cause has been established to relax the provisions of *N.J.A.C. 4A:4-2.3(b)* to accept the appellant's additional experience beyond the closing date and admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's application be processed.

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
THE 16th DAY OF AUGUST, 2017



Robert M. Czech, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
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: Kyle Hurley
Kathryn Monzo
Kelly Glenn
Records Center



Job Announcements

Symbol: M0879U Title: **MECHANIC**

Issue Date: 11/09/2016

Closing 11/30/2016

Date:

Jurisdiction: NORTH BRUNSWICK

Salary: \$20,000.00 - \$60,000.00 Per Year

Num. of Positions: 1

Workweek: 40 Hours per week

Application Fee: \$25.00

OPEN TO RESIDENTS OF:

(1) North Brunswick Township; (2) Middlesex County; (3) Mercer County, Monmouth County, Somerset County, Union County; (4) New Jersey

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.

NOTE: Foreign transcripts must be evaluated by a recognized evaluation service. Please upload a copy of your evaluation with your application. Failure to do so will result in ineligibility.

EXPERIENCE: Two (2) years of experience in the maintenance and repair of various types of motor vehicles and/or construction equipment such as bulldozers, tractors, cranes, road graders, power shovels, or similar equipment.

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 an automotive mechanic issued by the National Institute for Automotive Service Excellence may be substituted for the one (1) year of formal training as indicated above. 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 may be required to possess a valid Commercial Driver's License (CDL) Class B.

Please upload a copy of your license with your application.

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). Those claiming Veteran's Preference but have not yet received approval from DMAVA must pay the full application fee and may