



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Philip Parichuk,  
Maintenance Supervisor (PC1642W),  
Warren County

Examination Appeal

CSC Docket No. 2019-549

**ISSUED: DECEMBER 21, 2018 (HS)**

Philip Parichuk appeals the determination of the Division of Agency Services (Agency Services), which found that he did not meet the experience requirement for the promotional examination for Maintenance Supervisor (PC1642W), Warren County.

The subject examination was announced with a closing date of June 21, 2018 and was open, in pertinent part, to employees who possessed five years of experience in work involving the construction or repair and maintenance of building and grounds, two years of which shall have been in a supervisory capacity. The resulting eligible list containing the name of one eligible promulgated on August 9, 2018 and expires on August 8, 2021. The eligible was certified and removed from the list.

On his application, the appellant listed his experience as a Senior Maintenance Repairer with Warren County from August 2007 to the closing date.<sup>1</sup> Agency Services did not credit this experience because there was no indication of experience in the construction or repair and maintenance of building and grounds. Therefore, Agency Services deemed the appellant ineligible since he did not meet the experience requirement set forth in the announcement.

<sup>1</sup> Agency records indicate that the appellant served in the title of Maintenance Repairer from July 30, 2007 through April 28, 2010 and has been serving in the title of Senior Maintenance Repairer since April 29, 2010.

On appeal to the Civil Service Commission (Commission), the appellant states that during his career with Warren County, he has made numerous repairs and completed many rehabilitation and construction projects in the areas of plumbing, electrical, carpentry, masonry, painting, general maintenance and groundskeeping. He describes his particular duties in each of these areas. The appellant also asserts that he has been serving in a supervisory capacity with Warren County since he, among other things, assigned workers to tasks and reviewed work progress; provided instructions to employees; reviewed completed assignments for conformance with specifications; oversaw capital projects; and escorted contractors. The appellant thus maintains that his Warren County experience qualifies him for admission to the subject examination. In addition, the appellant describes his experience in two private sector positions.

### 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, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination as the appellant was required to possess five years of experience in work involving the construction or repair and maintenance of building and grounds, two years of which shall have been in a supervisory capacity. However, a review of the appellant's application reveals that he did not possess the required experience.

The appellant contends on appeal that he gained the requisite experience in a supervisory capacity during his employment with Warren County, pointing to such duties as instructing employees, assigning tasks, reviewing work and overseeing projects. However, the appellant has described lead worker duties, which are not equivalent to supervisory duties. Supervisory duties involve not only being in a leadership position but also responsibility for overseeing the work of other staff *and composing and administering formal performance reviews for subordinates*. Training and ensuring that assigned tasks are completed efficiently would only be considered part of supervisory functions and more consistent with that of a lead worker. *See In the Matter of Phillip Beesley, et al.* (MSB, decided March 27, 2001) and *In the Matter of Vincent Gimmelli* (MSB, decided June 9, 2004). As such, even if the appellant has clarified that he gained sufficient general experience during his employment with Warren County, the record does not reflect that he gained the requisite experience in a supervisory capacity during his Warren County employment.<sup>2</sup>

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<sup>2</sup> It is noted that had the appellant gained experience in a supervisory capacity during his Warren County employment, such experience would have been out-of-title. In this regard, both titles in which the appellant has served, Maintenance Repairer and Senior Maintenance Repairer, are non-supervisory. 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

Additionally, while the appellant provides information regarding his employment in two private sector positions on appeal, *N.J.A.C. 4A:4-2.1(f)* provides that an applicant may amend a previously submitted application only prior to the announced application filing date. That is, any documentation indicating work in any setting that was not previously listed on an application or resume cannot be considered after the filing date. See *In the Matter of Joann Burch, et al.* (MSB, decided August 21, 2003) and *In the Matter of Rolanda Alphonso, et al.* (MSB, decided January 26, 2005). Therefore, since the appellant did not list these positions on his application, the information he provides on appeal related to these positions would be considered an amendment and cannot be considered.

Accordingly, the record reflects that the appellant did not meet the requirements for the title under test, and there is no basis to disturb Agency Services' determination.

### ORDER

Therefore, it is ordered that this appeal be denied.

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 19<sup>TH</sup> DAY OF DECEMBER, 2018



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