



**STATE OF NEW JERSEY**

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

In the Matter of Ronald Johnson  
Supervising Maintenance Repairer  
(PM2281V), Newark

Examination Appeal

CSC Docket No. 2018-2864

**ISSUED: June 22, 2108 (RE)**

Ronald Johnson appeals the decision of the Division of Agency Services (Agency Services) which found that he did not meet the experience requirements for the promotional examination for Supervising Maintenance Repairer (PM2281V), Newark.

The subject examination announcement was issued with specific requirements which had to be met as of the September 21, 2017 closing date. These requirements included three years of experience in performing varied building maintenance and repair tasks. There were three candidates on the eligible list, which has been certified once, but no appointments have yet been made.

The appellant listed one position on his application, Supervising Maintenance Repairer, from December 1984 to September 2017. Official records indicate that the appellant was provisionally appointed pending promotional examination to Supervising Maintenance Repairer on March 27, 2017. Prior to that he was a Senior Maintenance Repairer/Water Repairer, Water Repairer 1, and Senior Maintenance Repairer. The appellant was found to be lacking three years of required experience as of the September 2017 closing date.

On appeal, the appellant argues that he possesses over 30 years of experience in the Newark Department of Water and Sewer Utilities. He states that he has been a senior employee performing lead worker duties and has been an acting supervisor during the last five years. He states that his current duties include supervising and working with a group of employees engaged in tasks involving the water distribution

system, installation, maintenance, repair and troubleshooting operations of fire hydrants, gate valve, water mains, water service, plumbing, painting, sidewalk repairs and sheetrock installations. He states that he performs shut downs of water mains, and performs inspections of new fire hydrants installed by contractors as well as new water services and sewer laterals.

*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.

## CONCLUSION

At the outset, it is noted that qualifying experience has the announced experience requirement as the primary focus of the position. That is, the announced experience should be the main duty of the listed position. The duties that the appellant listed on his application, and on appeal, do not match the experience requirement or have it as the primary focus. The appellant works in the Department of Water and Sewer Utilities and his primary activities involve the operation and maintenance of a water system. While some tasks such as supervising painting and sheet rock installations would be performed by a Supervising Maintenance Repairer, these tasks are a minority of the duties listed, and do not involve other work such as electrical work, carpentry, roofing, and other duties involved in the upkeep of buildings and other structures.

As the appellant did not indicate that he is primarily performing work required of a Supervising Maintenance Repairer, it appears that his position may be misclassified. Therefore, the appellant and appointing authority should provide a duties questionnaire to the Division of Agency Services detailing the duties of the position, along with a completed examination application within 30 days of the issuance of this decision, so that an appropriate provisional title can be assigned and a pre-qualification determination can be made. Should the appellant be found not eligible for the new provisional appointment, he should be returned to his regular prior-held title at that time. Otherwise, since the appellant does not meet the minimum qualifications for the title, contrary to *N.J.A.C.* 4A:4-1.5(a)2, he should be returned to his regular prior-held title immediately upon receipt of this decision.

An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

**ORDER**

Therefore, it is ordered that this appeal be denied, and the appellant's position undergo a classification review.

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 20<sup>th</sup> DAY OF JUNE, 2018



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